

ATTACHMENT J-5

OTHER AGENCY CORRESPONDENCE MEETING SUMMARIES, AND RESOLUTIONS

This attachment contains the following materials:

- October 2003 Agreement between Local, State, and Federal Partners for the Completion of the Project Level National Environmental Policy Act Document for the Cajalco-Ramona Corridor, Riverside County, California Multi-Modal Transportation Facility (1 page)
- May 13, 2005 letter from the Metropolitan Water District of Southern California (Metropolitan) to Jacobs Civil, Inc. on the alignment alternatives (5 pages)
- August 19, 2005 letter from the California Department of Water Resources to the Riverside County Transportation Commission (RCTC) on Perris Dam (3 pages)
- April 18, 2007 letter from Metropolitan to RCTC regarding the proposed Mid County Parkway project and potential effects on Metropolitan's facilities (24 pages)
- April 21, 2008 letter from RCTC to the United States Department of the Interior/Bureau of Land Management (BLM) regarding potential effects on BLM lands (2 pages)
- May 5, 2008 letter from the Riverside County Habitat Conservation Agency to RCTC regarding potential effects on BLM lands (1 page)
- May 6, 2008 letter from Waste Management to RCTC regarding potential project effects on the El Sobrante Landfill (15 pages)
- May 12, 2008 letter from the BLM to RCTC regarding potential project effects on BLM lands (2 pages)
- May 14, 2008 letter from FHWA to the California Department of Transportation (Caltrans) regarding the New/Modified Access Report for the Interstates 15 and 215/Mid County Parkway Interchange (2 pages)
- July 2, 2008 letter from RCTC to Waste Management regarding Waste Management's offer of cooperation regarding the Mid County Parkway project (1 page)

- February 19, 2009 Resolution No. 3235 of the City of San Jacinto, California expressing a preference for the RCTC to construct the MCP starting at the eastern end and working westerly (2 pages).
- June 28, 2011 Resolution No. 4428 of the City of Perris, California expressing Alternative 9 of the MCP as the locally preferred alternative (3 pages).
- January 9, 2014 Memorandum from the RCTC to the Southern California Association of Governments Transportation Conformity Working Group (1 page).
- January 28, 2014 Meeting Minutes and Agenda Transportation Conformity Working Group (6 pages).
- October 28, 2014 letter from the Metropolitan Water District of Southern California to Jacobs Engineering, Inc. regarding the Preliminary Geotechnical Evaluations Revision 3 prepared by Kleinfelder.
- January 27, 2015 coordination with Caltrans District 8 on air quality.



Robin Speer

Agreement between Local, State and Federal Partners for the Completion of the Project Level National Environmental Policy Act Document for the



Maria Ashley

CAJALCO-RAMONA CORRIDOR RIVERSIDE COUNTY, CALIFORNIA

Multi-Modal Transportation Facility



Ed Mundy



U.S. Army Corps
of Engineers
Los Angeles District

Richard G. Thompson



Nguyen Huu



J. E. Duff



Paul E. Mager

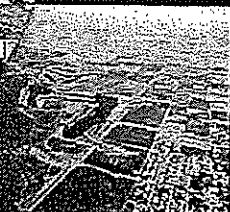
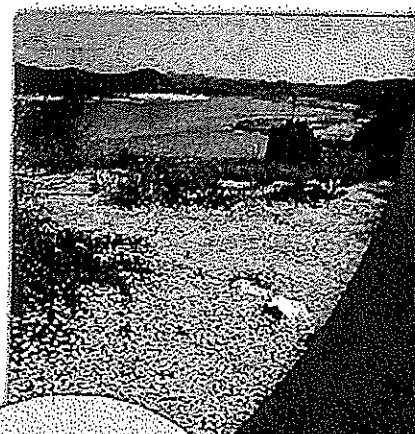
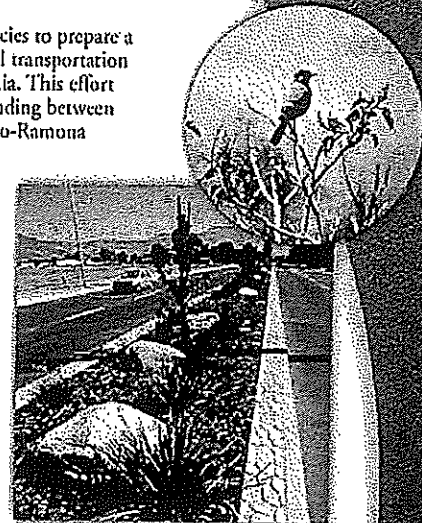


Ron Rangel

This Partnership Agreement memorializes the efforts of the partnering agencies to prepare a project level National Environmental Policy Act document for a multi-modal transportation facility located in the Cajalco-Ramona corridor in Riverside County, California. This effort builds on a previous Partnership Action Plan and Memorandum of Understanding between the local, state and federal partners that resulted in identification of the Cajalco-Ramona corridor for project level review. As part of the Riverside County Integrated Project, this transportation facility is intended to improve the quality of life for all residents of Riverside County and protect regional environmental and aquatic resources. To meet the spirit of Executive Order 13274 for "Environmental Stewardship and Transportation Infrastructure Project Reviews" the partners agree to the following objectives and charter:

- ◆ Compliance with all Applicable Laws
- ◆ Successful Integration of Transportation Planning and Natural Resource Management
- ◆ Better Environmental Stewardship
- ◆ Accommodate Future Traffic Demands and Relieve Traffic Congestion
- ◆ Constructive Local, State and Federal Working Relationships
- ◆ Effective Use of Partner Agency Resources
- ◆ Responsiveness to the Public with On-going Public Involvement and Communication
- ◆ Streamlining:
 - Recognize and use appropriate and already available data
 - Timely reviews and actions
 - Implementing previously agreed upon dispute resolution process when appropriate
 - Seek and employ forward thinking, innovation, flexible and creative strategies for transportation, environmental resource planning, and problem-solving.

As partner agencies, we agree to work together in a spirit of cooperation, respect, and reasonableness to produce a high quality product that meets the needs and schedule of the project proponent as well as those of the other partner agencies. Through this process, we intend to enhance the certainty of achieving an approvable project that also ensures full environmental compliance.



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MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

MWD Colorado River Aqueduct, etc.
Substr. Job No. 2001-04-007

May 13, 2005

Mr. Charles Landrey
Project Manager
Jacobs Civil, Inc
3850 Vine Street, Suite 120
Riverside, CA 92507

Dear Mr. Landrey:

Mid-County Parkway Alignment Conflicts with MWD Facilities

This letter is regarding the proposed Mid-County Parkway project alignment alternatives located in Riverside County generally between Interstate 15 and the city of San Jacinto, north and south of Lake Mathews and south of Lake Perris.

The following comments provide a detailed explanation of potential conflicts between the proposed project alignments and Metropolitan's various facilities. The subject locations are referenced accordingly on the enclosed aerial photo map that delineates the project's alternative alignments, which your company submitted to Metropolitan.

I. Colorado River Aqueduct/Casa Loma Siphon-1" Barrel - at Sanderson Avenue

Just south of the Ramona Expressway, Metropolitan's 148-inch-inside-diameter Casa Loma Siphon crosses Sanderson Avenue (MWD Station 10933+40). There is an existing protective concrete slab in place at Sanderson Avenue and our pipeline is between 4 and 10 feet below grade at this location. This protective slab may need to be upgraded or extended depending on the limits of the corridor construction in this area. Enclosed are prints of our Casa Loma Siphon Drawings B-363-10, B-363-11, H-1224 and H-1300, and Drawing B-25759 for the protective slab.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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II. Colorado River Aqueduct, Inland Feeder and Lakeview Pipeline – between Bridge Street and Princess Ann Road

Just south of the Ramona Expressway at Princess Ann Road, Metropolitan's 185-inch-inside-diameter Colorado River Aqueduct monolithic concrete pipeline, 145-inch-inside-diameter Inland Feeder welded steel pipeline, and 133-inch-inside-diameter welded steel Lakeview Pipeline are all in close proximity to the proposed corridor alignment. Please submit detailed plans of your corridor project in this area for our review and written approval when available. Enclosed are prints of our Drawings B-363-9, B-60591, B-88361, B-88362 and B-88381 for our facilities in this area.

III. Inland Feeder Davis Road/Jansen Avenue

Metropolitan's 145-inch-inside-diameter Inland Feeder welded steel pipeline is located at the intersection of Ramona Expressway and Davis Road and runs parallel to Ramona Expressway for approximately 800 feet. The pipeline is located approximately 15 feet below grade in this area and may need to be protected within the limits of your corridor improvements. Enclosed for your information are prints of our Drawings B-92103 and B-92104.

IV. Lake Perris Facilities

Metropolitan has a number of facilities and properties along the south side of Lake Perris that may be impacted by the proposed corridor. In addition, appropriate protection of our various pipelines and tunnels in this area may need to be undertaken. Enclosed are prints of our Drawings B-363, B-363-6, B-60445 through B-60447, B-60561, B-60562, B-60563, B-60564, B-65646 and B-65656 through B-65661 for your information and use.

a. Lake Perris Bypass Pipeline

The proposed corridor alignment must be kept outside the limits of this right-of-way except where it must cross the pipeline.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Mr. Charles Landrey

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b. Perris Power Plant

The proposed corridor alignment must be kept outside the limits of our power plant and pressure control facility right-of-way.

c. Bernasconi Tunnels No. 1 and No. 2 – West and East Portals

Appropriate access will need to be provided to Metropolitan to these portal sites for routine maintenance and repairs.

V. SR-215 -- Chemical Unloading Facilities

- a. Metropolitan owns and operates a chemical unloading facility just west of the proposed SR-215 interchange. The proposed alignment should not encroach into any area of this property. Please note that Metropolitan may be performing major upgrades to this facility in the near future. We will keep you informed of changes to this facility as they occur. Enclosed are prints of our Drawings B-26979 and B-26980 for your information and use.
- b. In addition, just east of the chlorine facility extending approximately to the Cajalco Dam, Metropolitan's 183-inch-inside-diameter Colorado River Aqueduct Valverde Tunnel is longitudinally in close proximity to the proposed alignment with an average depth of 150 to 200 feet. Your proposed corridor must have no impact on this tunnel.

VI. Cajalco Dam – El Sobrante Road and Cajalco Road (East of Lake Mathews)

The proposed alignment may require modifications to the existing Cajalco Dam facility, which would have to be coordinated with Metropolitan, Riverside County Flood Control District and the California Division of Safety of Dams (DSOD). Also, access to the facility will need to be maintained. Enclosed are prints of our Drawings A-1178, H-1362 and H-1363 for your information and use.

Metropolitan's facilities between the Cajalco Dam and our Lake Mathews

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Mr. Charles Landrey

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facility may also be affected where the Valverde Tunnel transitions into an outlet channel. Detailed plans of your proposed corridor improvements will be required in order to determine potential impacts to our facilities. Enclosed are prints of our Drawings B-363-1 through B-363-4 for your information and use.

VII. Lake Mathews Facilities, Upper Feeder and Lower Feeder

- a. The alignment of your proposed corridor in proximity to our Lake Mathews Dike No. 1 at McAllister Street would involve the removal of a hill that is acting as a buttress for this dike, which is unacceptable. Metropolitan cannot allow any activity which has the potential to compromise or reduce the factor of safety of this dike. Your corridor alignment will need to be revised such that no material is removed from this abutment area. Any construction in this area will also require DSOD approval.
- b. Seepage pipes located at the face of this dike may also be affected. Any impacts to these pipelines will need to be mitigated.
- c. Metropolitan's main entrance to our Lake Mathews facility is accessed from El Sobrante Road. The proposed alignment appears to interfere with this access. If this alignment will bridge over La Sierra Avenue, the height should be such that it allows all of our vehicles to cross under the overcrossing.
- d. Metropolitan's 140-inch-inside-diameter Upper Feeder pipeline crosses the proposed alignment just west of La Sierra Avenue. This pipeline will need to be protected in place.
- e. Metropolitan's 108-inch-inside-diameter Lower Feeder pipeline and related above-ground facilities, including a small hydroelectric power plant, may be impacted by your proposed corridor alignment and auxiliary road between Lake Mathews and Temescal Canyon Road. As shown on the enclosed drawings, Metropolitan facilities include, but are not limited to, two standpipes, a control tower, a venturi meter and the Temescal Power

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

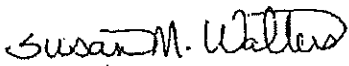
Mr. Charles Landrey
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Plant. Please provide detailed information on how these facilities will be protected in place and how Metropolitan's access will be maintained in this area.

Enclosed for your information are prints of our Lower Feeder pipeline and tunnel Drawings B-9363, B-10203 through B-10212, B-21226 and B-21227 and above-ground facility Drawings B-10275, B-10282, B-10283, B-30310 through B-30314, B-30398 and B-30399.

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Mr. Ish Singh at (213) 217-6679.

Very truly yours,


For Kieran M. Callanan, P.E.
Manager, Substructures Team

IS/ly
DOC 2001-04-007
Enclosures (53)

Attachment 3
Exhibit 1

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08-19-05 13:23 From:OAH HQ

8166574239

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-6791



August 19, 2005

Ms. Cathy Bechtel, Division Head, Planning
Riverside County Transportation Commission
Post Office Box 12008
4080 Lemon Street, 3rd Floor
Riverside, California 92502-2208

Mid County Parkway North Perris Alignment

Dear Ms. Bechtel:

This letter is in response to your request for written confirmation regarding your several discussions with my staff, regarding the proposed Mid County Parkway North Perris Alignment that includes a major section along the downstream toe area of Perris Dam.

The Department of Water Resources (DWR) recently completed a seismic stability analysis of Perris Dam and concluded that there is potential for large seismically-induced earthquake deformations, due to liquefaction of foundation soils beneath the eastern reach of the dam under the design earthquake loading. Based upon the completed analysis, we are lowering and restricting the Lake Perris water surface level to 27 feet below the spillway crest of Perris Dam. This is being done to mitigate the seismic risks associated with Perris Dam and to ensure the continued safety of lives and property downstream of the dam. This is an interim safety measure until a permanent solution for repair is determined.

As previously indicated in a June 8, 2005 letter from Cliff Winston of DWR's Real Estate Branch to Mr. Rick Simon with CH2M Hill, the proposed Mid County Parkway North Perris Alignment would also impact our existing facilities at Perris Dam. These facilities are essential to the safety of Perris Dam and include the seepage collection system, outlet system for Lake Perris, and surveillance monitoring stations throughout the downstream toe area of the dam. I have included a copy of this letter for your records. Another important item impacted by the proposed Parkway is the environmentally sensitive wildlife area located just beyond the downstream toe area of Perris Dam. I have been notified by our staff that this environmentally protected area was required as mitigation lands due to the original construction of Perris Dam.



Ms. Bechtel, Division Head

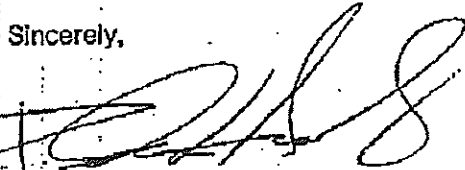
August 19, 2005

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Based on the above information, we are requesting that you do not move forward with the proposed Mid County North Perris Alignment due to the significant impacts it would have on our existing Perris Dam facilities; and our need to maintain right of way ownership of the downstream property. This downstream property between Perris Dam and Ramona Expressway will be essential to us when evaluating repair options for the dam in the future.

If you have any questions please call me at (916) 653-3014 or Teresa Sutliff, Chief of the Division of Operations Civil Engineering Branch at (916) 653-8350.

Sincerely,



Richard Sanchez, Chief
State Water Project Operations Support Office
Division of Operations and Maintenance

Attachment

JUN 6 2005

Mr. Rick Simon
CH2M HILL
3550 Vine Street, Suite 320
Riverside, California 92507

Dear Mr. Simon:

This letter is in response to your letter dated March 29, 2005 requesting feedback from the Department of Water Resources (DWR) on the Mid County Parkway (MCP) project being proposed by the Riverside County Transportation Commission.

One of the alternatives being studied for the MCP project is to place the alignment of the parkway in front of the Lake Perris Dam. Your plan and profile drawings were submitted with your letter for review to our Operations and Maintenance Division, Southern Field Division, and Division of Safety and Dams. As a result of the review, the following comments were submitted:

1. The parkway, as shown on the preliminary plan, is located in an area that was used for mitigation purposes during the construction of the dam.
2. The proposed alignment of the parkway crosses an emergency outlet near the left abutment of the dam. DWR would need access to the outlet at all times.
3. The existing system used to drain seepage would lay beneath the proposed parkway, which is unacceptable by DWR.
4. The parkway would interfere with monitoring stations located throughout the downstream toe area of the dam.

For the reasons stated above this alternative alignment for the MCP is not desirable.

If you have further questions, please contact me by phone at (916) 653-5361 or you may e-mail me at cwinston@water.ca.gov.

Sincerely,

Clifford Winston
Senior Land Agent

bcc: Teresa Sutliff, HQ Room 849

CWinston:CMarg
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MWD

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Office of the General Counsel

April 18, 2007

Via Electronic Mail & Federal Express

Ms. Cathy Bechtel
Riverside County
Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501

Re: Mid County Parkway Project

Dear Ms. Bechtel:

The Metropolitan Water District of Southern California (Metropolitan) is writing to comment on the Riverside County Transportation Commission's (RCTC) proposed alignments for its Mid County Parkway (MCP or project).

As you know, Metropolitan has worked cooperatively with RCTC on its consideration of alternative routes for, and environmental study of, the MCP. We understand that RCTC is preparing to issue its draft environmental impact report/environmental impact statement (Draft EIR/EIS) soon, and wanted to reiterate Metropolitan's comments and concerns regarding the project at this critical juncture. Enclosed and incorporated by reference are copies of prior correspondence that set forth Metropolitan's position on the project.

In summary, Metropolitan's primary concerns with the proposed MCP are:

- a. Impacts to Lake Mathews reserve lands and associated conservation, mitigation, and management pursuant to agreements with U.S. Fish and Wildlife Service, California Department of Fish and Game, and Riverside County Habitat Conservation Agency, including the Lake Mathews Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (MSHCP/NCCP or reserve).
- b. Impacts to the Lake Mathews watershed, including impacts to Metropolitan's Cajalco Creek Dam and adjunct detention basins and other existing and future facilities necessary to control urban runoff into Lake Mathews in order to meet water quality requirements. Any alignments within the Lake Mathews watershed should incorporate the existing requirements of the Lake Mathews Water Quality & Drainage Management Plan, which is an agreement that was executed between the Riverside County Flood Control and Water Conservation District and Metropolitan to preserve and enhance the water quality within Lake Mathews.

Ms. Bechtel
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- c. The protection of Metropolitan's existing large diameter distribution system and related facilities from potential impacts caused by the proposed MCP. The main facilities affected by these proposed alignments include: the Colorado River Aqueduct; Perris Valley Siphon Nos. 1 and 2; Lakeview pipeline; Bernasconi Tunnels Nos. 1 and 2; Inland Feeder; 1st Barrel Casa Loma Siphon; Upper Feeder pipeline; Lower Feeder pipeline; Temescal Power Plant; Lake Perris Bypass and its associated pipeline, Perris Power Plant and Pressure Control Facility; Lake Mathews and its associated power plant, dams and facilities; Chemical Unloading Facility; and the approved Central Pool Augmentation project and its associated future water treatment plant at Eagle Valley and the future water distribution system leaving Eagle Valley.
- d. Homeland security and related access issues to Metropolitan facilities, security gates, and detention basins in and around the proposed project.

Metropolitan requests that RCTC choose an alignment that addresses these concerns by avoiding any impacts to the reserve and operational lands, and by avoiding or minimizing impacts to Metropolitan's facilities. Based on a review of the preliminary data provided by RCTC, only Alternative 9 (the southernmost route) avoids the reserve, and has the fewest impacts on Metropolitan's facilities. Enclosed for reference is a map showing the proposed MCP alignments, including Alternative 9, in relation to the reserve and Metropolitan's major facilities.

Impacts to the Reserve

As we have stated repeatedly in the past, Metropolitan cannot support or sanction any alternative that enters or impacts the reserve in any way. The MSHCP/NCCP encompasses about 5,110 acres of land surrounding Lake Mathews, including the lands in the State Ecological Reserve. These lands are protected for their benefit to endangered, threatened or sensitive species and provide the basis for Endangered Species Act compliance for Metropolitan projects located in Riverside County.

To ensure protection of these lands, Metropolitan recorded a conservation easement that precludes the use of the property in a manner that could adversely affect its values for conservation purposes. Any activities or use of reserve lands for the MCP is incompatible with these conservation commitments, and Metropolitan is precluded from authorizing such activities and use of the reserve. For these reasons, Metropolitan opposes the MCP alignments that would enter and/or impact the reserve in any way.

Ms. Bechtel
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Impacts to Metropolitan Facilities

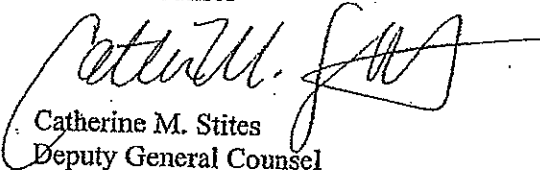
Metropolitan is also concerned about impacts to its facilities and their operation, as set forth in detail in the enclosed correspondence. In short, all of the proposed MCP alignments, including Alternative 9, would impact Metropolitan facilities. In addition, all alignments have the potential to affect how these facilities are operated. RCTC must carefully analyze the potential impacts, including but not limited to those from increased lateral and vertical loading, induced settlement, impacts to operations of the facilities, and altered drainage patterns. See, for example, the enclosed September 28, 2006 and March 29, 2007 correspondence for more detail on this subject. Any proposals to realign or accommodate Metropolitan's facilities, including the costs of such accommodations, are potentially significant and should be analyzed in detail by RCTC. We welcome the opportunity to provide information relevant to this analysis upon your request.

Metropolitan respectfully requests that you address all of the foregoing concerns in the Draft EIR/EIS. We look forward to continuing our cooperative work with RCTC on the MCP.

If you have any questions, please feel free to contact John Shamma at (213) 217-6409 or me at (213) 217-6533.

Sincerely,

Karen L. Tachiki
General Counsel



Catherine M. Stites
Deputy General Counsel

CMS/tjm
Enclosures

cc: Mr. John Shamma, P.E., Metropolitan (w/o encls.)
Mr. Hideo Sugita, RCTC Deputy Executive Director (w/encls.)

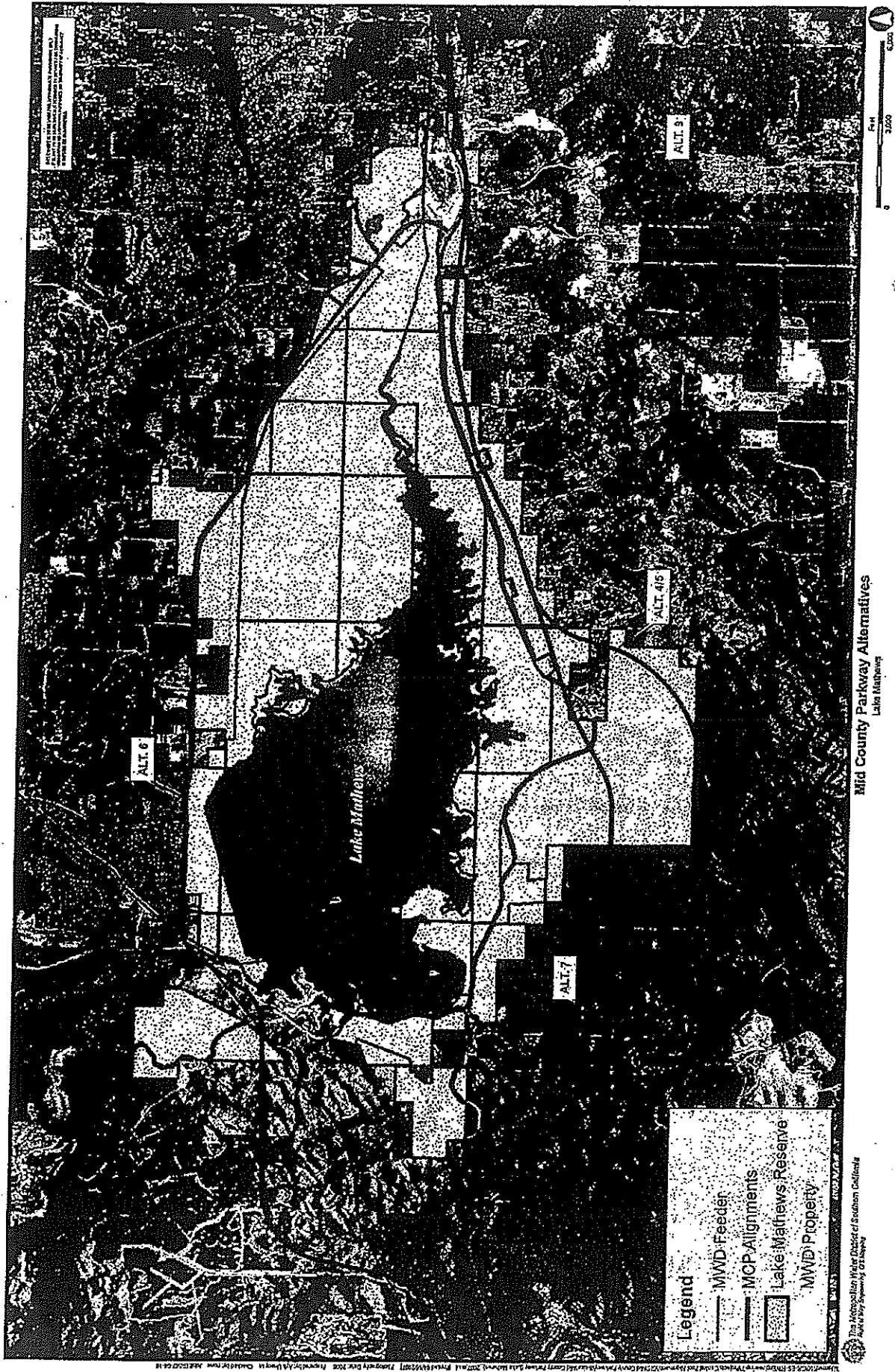
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Ms. Bechtel
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April 18, 2007

cc: Merideth Cann, P.E. (w/encls.)
Charles V. Landry, P.E. (w/encls.)
Jacobs Engineering Group Inc.
3850 Vine Street, Suite 120
Riverside, CA 92507

Mr. Rob McCann (w/encls.)
LSA Associates, Inc.
20 Executive Park
Suite 200
Irvine, CA 92614

Karin Louise Watts Bazan, Esq. (w/encls.)
Office of the Riverside County Counsel
3535 10th Street, Suite 300
Riverside, CA 92501



November 3, 2003

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
P.O. Box 12008
Riverside, CA 92502-2208

Dear Ms. Bechtel:

Riverside County Transportation Commission November 5, 2003 Meeting

The Metropolitan Water District of Southern California (Metropolitan) has received an invitation and draft agenda for a meeting with Riverside County Supervisors Tavaglione and Ashley, scheduled for November 5, 2003. Metropolitan also understands that a number of senior staff from the Riverside County Transportation Commission will also be in attendance. Metropolitan appreciates this opportunity to discuss areas of mutual interest as we focus on developing comprehensive management plans and policies within western Riverside County.

The draft agenda received from the Riverside County Transportation Commission offices focuses on a number of key areas, including:

- a. Proposed transportation corridor adjacent to Lake Mathews
- b. The County of Riverside Multi-Species Habitat Conservation Plan (MSHCP) and related issues in considering a Memorandum of Understanding (MOU) between Riverside County and Metropolitan on management of existing and proposed reserves
- c. Diamond Valley Lake land use and annexation agreement issues

Metropolitan's engineering staff has been coordinating closely with your office on tentative plans to construct a transportation corridor proposed to run east-west generally in alignment with Ramona Expressway and Cajalco Road from San Jacinto to the I-15 in southeast Corona. The most recent proposal indicates that the corridor is planned south of Metropolitan's Lake Mathews.

Metropolitan's primary concerns with the proposed Ramona/Cajalco Corridor alignment involve impacts to:

- a. Lake Mathews reserve lands and associated conservation, mitigation and management agreements;

- b. Lake Mathews watershed agreements, necessary to protect the water quality in Lake Mathews from urban runoff;
- c. Metropolitan's Cajalco Creek Dam and adjunct detention basins;
- d. Protection of the Colorado River Aqueduct from highway loading; and
- e. Access issues to Metropolitan facilities, security gates and detention basins in and around Lake Mathews.

The basic objectives of Metropolitan in reviewing any highway improvement plans are to ensure that such plans do not compromise our ability to operate our facilities and manage our property to meet our obligations. To facilitate our understanding of potential impacts, it would be most helpful if a brief presentation of the proposed highway corridor alignment could include Metropolitan's facilities and property interests. Continued coordination with Metropolitan staff on alignment alternatives and Corridor design plans will be essential to avoiding impacts to Metropolitan facilities and property interests.

Metropolitan continues to have concerns with the recently adopted Riverside County Multi-Species Habitat Conservation Plan (MSHCP), and how the County intends to implement the mitigation, conservation, and management goals of the MSHCP with regard to existing conservation lands. Metropolitan is a major stakeholder and property owner for several reserves in western Riverside County, including the Lake Mathews Multiple Species Reserve, the Southwestern Riverside County Multi-Species Reserve (DVL/Skinner Reserve), and the Santa Rosa Plateau Ecological Reserve. Metropolitan's participation in the establishment, management, and funding of these reserves has been independent of the County's MSHCP. These reserves are jointly managed with other agencies, including the U.S. Fish and Wildlife Service and California Department of Fish and Game, under cooperative management agreements that provide mitigation for Metropolitan projects under mitigation banking agreements, and afford Metropolitan certain rights and responsibilities for development, operation, and maintenance of Metropolitan facilities on reserve lands.

Metropolitan has consistently supported a cooperative approach to the management of exiting reserves and lands proposed for conservation under the County's MSHCP. While Metropolitan's reserves are managed independently of the County-wide MSHCP through separate management committees, agreements and funding sources, we believe that there are strategies already in place to ensure that reserve issues are coordinated and information is cooperatively shared for the benefit of the resources throughout the area. Existing reserve management committees for the reserves at Lake Mathews, DVL/Skinner Reserve, and Santa Rosa Plateau, as well as the Riverside County Habitat Conservation Agency's Reserve Managers Coordinating Committee are currently in place to ensure cooperation and coordination for the management of conservation lands in the County. Metropolitan will continue to coordinate with the County during the implementation of the County's MSHCP. Metropolitan must stress that any MOU that would serve to further formalize this cooperation and coordination cannot supersede the goals,

Ms. Cathy Bechtel
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November 3, 2003

objectives, and management and funding structures that have been established under existing reserve agreements.

Finally, our forthcoming meeting may afford us an opportunity to discuss Diamond Valley Lake (DVL). On October 3, 2003, DVL was opened to the public to great success. Metropolitan truly appreciates the cooperation and support of the County of Riverside in bringing this resource to the public. Metropolitan also understands that the County of Riverside recently adopted a General Land Use Plan which updates land use designations for Metropolitan's property holdings within Riverside County. Metropolitan extends its appreciation to our respective staff members in updating this critical land planning and management tool.

Metropolitan is also cooperating with the City of Hemet in their interest in annexing a portion of the East Recreation Area of Diamond Valley Lake. No part of the proposed annexation is to include DVL lake surface. We also understand and have no objection to the County of Riverside's request that execution of a Development Agreement between Riverside County and Metropolitan be tied to more definitive plans for development of Metropolitan's properties within the County of Riverside.

Metropolitan sincerely appreciates the opportunity to further discuss these important topics and anticipates that through continued cooperation beneficial resolution of these issues can be realized.

Very truly yours,

Ronald R. Gastelum
Chief Executive Officer

LJB/sdf
dvr067

bcc:

Bcc:

December 15, 2004

FEDERAL EXPRESS

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92502-2208

Dear Ms. Bechtel:

Notice of Preparation for the Draft Environmental
Impact Statement/Environmental Impact Report for the Mid County Parkway Corridor Project

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Notice of Preparation (NOP) for the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Mid County Parkway Corridor Project, located within western Riverside County. The Riverside County Transportation Commission (RCTC) is the lead agency for the proposed project. The Mid County Parkway, which would be a key east-west regional transportation corridor within Riverside County, is proposed to extend from Interstate 15 on the west to State Route 79 on the east. The project is primarily located along the Ramona Expressway, Cajalco Road, and El Sobrante Road. Metropolitan is providing comments as a potentially affected public agency and a potential responsible agency, as defined in the State of California Public Resources Code, §21069. As indicated in Table A in the NOP, Metropolitan is a potential Responsible and Trustee Agency and RCTC would require approval from Metropolitan to cross Metropolitan lands and or facilities as defined herein.

As you know, Metropolitan owns and operates several facilities within the boundaries of the proposed study area, including Lake Mathews, the Colorado River Aqueduct, the Upper Feeder pipeline, the Lower Feeder pipeline and the Lake Perris Bypass pipeline and pumpback facilities. In addition, Metropolitan's approved Central Pool Augmentation (CPA) pipeline and treatment plant are within or adjacent to the boundaries of the proposed study area. Furthermore, Metropolitan maintains ownership and jointly manages the Lake Mathews Multi-Species Habitat Conservation Plan (MSHCP) reserve (also known as the Lake Mathews - Estelle Mountain Core Reserve), as shown on the attached graphic (see Figure 2).

Metropolitan has worked jointly with RCTC and the County of Riverside over the past eighteen months on the proposed Mid County Parkway and is committed to continuing work with the lead agency in support of this important regional transportation project. However, there are several

critical issues that must be resolved before RCTC approves the project and Metropolitan considers granting approval for the crossing of our lands and/or facilities.

These issues include:

Issues Related to the Lake Mathews MSHCP

The Lake Mathews MSHCP provides Endangered Species Act coverage for and fully mitigates impacts related to a variety of past and future Metropolitan projects, as well as impacts to ongoing operations of Lake Mathews. It is critical that Metropolitan maintains the mitigation and take authorization outlined in the MSHCP in full effect and in perpetuity. As currently proposed in the Draft EIS/EIR, each of the build alternatives for the Mid County Parkway would impact the Lake Mathews – Estelle Mountain Core Reserve. Metropolitan requests that the lead agency consider developing an alternative that would fully avoid impacts to the Lake Mathews – Estelle Mountain Core Reserve.

The lead agency, with Metropolitan's consent and overview, would need to review and assess the legal ramifications associated with modifications to the Lake Mathews – Estelle Mountain Core Reserve and determine the risks and benefits to Metropolitan. It is Metropolitan's understanding that the MSHCP, which established the Lake Mathews – Estelle Mountain Core Reserve, only allows for adding species or lands – not for changing or exchanging lands. As such, the lead agency would need to address the plausibility of modifying the MSHCP given the constraints outlined in the legal documents that established the reserve. Metropolitan requests that the lead agency initiate discussions with us to ensure that our take authorization is maintained in full effect.

Operational and Maintenance Issues at Lake Mathews

The lead agency also needs to address long-term impacts from the Mid County Parkway to the Lake Mathews Water Quality & Drainage Management Plan. The proposed project has the potential to affect drainage patterns and water quality at Lake Mathews, a critical drinking water reservoir for southern California. It is imperative to both Metropolitan and the County of Riverside that the Draft EIS/EIR addresses potential impacts to Lake Mathews from a water quality perspective, to ensure that a reliable, high-quality drinking water supply is maintained over the long term.

Furthermore, the implementation of the Mid County Project must allow uninterrupted operational access to the perimeter shoreline of Lake Mathews. Metropolitan utilizes Lake Mathews primarily as a storage reservoir for untreated water, however a large variety of other operational activities occur at Lake Mathews as well. Uninterrupted, long-term access to the perimeter shoreline at Lake Mathews will be required to: (1) perform annual shoreline vegetation clearing

activities, (2) allow patroller access in order to maintain security around Lake Mathews, and (3) allow general operational access for emergency activities, should the need ever arise.

The proposed project must also avoid impacts to Metropolitan's operational area along the north shore of Lake Mathews, near the intersection of El Sobrante and La Sierra roads. This area is utilized for management of Metropolitan's construction unit, which is essential to emergency response efforts within Metropolitan's service area. The proposed project's environmental documentation needs to analyze the potential impacts to these facilities and address avoidance and/or minimization measures to ensure minimal impacts to Metropolitan's operations.

Operational and Maintenance Issues at Other Existing and Future Metropolitan Facilities

The proposed project must also avoid impacts to Metropolitan's approved CPA project, in particular the future treatment plant at Eagle Valley and the future distribution system leaving Eagle Valley. This approved project is an essential component in Metropolitan's obligation to deliver reliable, high-quality water to both Riverside and Orange counties, and as such the lead agency should specifically address any potential impacts of the Mid County Parkway project to the CPA. In addition, Metropolitan's future treatment plant at Eagle Valley will most likely begin construction prior to implementation of the Mid County Parkway project – the lead agency's Draft EIS/EIR needs to acknowledge the treatment plant project and address avoidance and/or minimization measures to ensure minimal impacts to the CPA treatment plant project.

In addition, Metropolitan is concerned with potential impacts from the proposed project to other Metropolitan facilities within the project area. These facilities include the Colorado River Aqueduct, the Upper Feeder pipeline, the Lower Feeder pipeline, and the Lake Perris Bypass pipeline and pumpback facilities, and the approved CPA pipeline. Metropolitan must be allowed to maintain its rights-of-way to its facilities at all times in order to repair and maintain the current condition of those facilities. It is necessary that the lead agency avoid potential impacts to Metropolitan's facilities that may result from the proposed project, including any restrictions on Metropolitan's rights-of-way and/or any operations and maintenance activities. In order to avoid impacts, coordination with Metropolitan must occur during the planning process and written approval from Metropolitan for proposed design plans should be obtained prior to project approval. Metropolitan requests that the lead agency's Draft EIS/EIR acknowledge Metropolitan's facilities and address avoidance and/or minimization measures to ensure minimal impacts to our rights-of-way and/or facilities.

Other Issues

Metropolitan requests that the lead agency analyze in the draft EIS/EIR the consistency of the proposed project with the growth management plan adopted by the Southern California Association of Governments (SCAG). Metropolitan uses SCAG's population, housing, and employment projections to determine future water demand.

Ms. Cathy Bechtel
Page 4
December 15, 2004

In addition, Metropolitan encourages projects to include water conservation measures. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports measures such as using water-efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

We appreciate the opportunity to provide input to your planning process and we look forward to continued coordination with the County of Riverside on this project. Mr. John Vrsalovich of Metropolitan's Facility Planning Team has been designated as Metropolitan's contact to coordinate with RCTC. Mr. Vrsalovich can be reached at (213) 217-6066.

Very truly yours,

Laura J. Simonek
Manager, Environmental Planning Team

JAH/rdl
(Public Folders/EPU/Letters/08-DEC-04B.doc - Cathy Bechtel)
Enclosure: Planning Guidelines

MWD Colorado River Aqueduct
Sta. 10920+00 to 10940+00
MWD Casa Loma Canal
Sta. 140+00 to 160+00
Sta. 210+00 to 240+00
MWD San Diego Canal
Sta. 270+00 to 280+00
Sta. 295+00 to 305+00
Sta. 350+00 to 360+00
Sta. 385+00 to 395+00
Sta. 430+00 to 460+00
Sta. 500+00 to 510+00
Substr. Job No. 2001-06-008

September 28, 2006

Mr. Hideo Sugita
Deputy Executive Director
Riverside County
Transportation Commission
P. O. Box 12008
Riverside, CA 92502-2208

Dear Mr. Sugita:

State Route 79 Realignment – Environmental Studies

Thank you for your letter dated June 21, 2006, submitting maps (eight sheets) showing the proposed locations of the geotechnical borings for the environmental studies of the realignment project for State Route 79 in the San Jacinto Valley.

Mr. Hideo Sugita
Page 2
September 28, 2006

We have reviewed the submitted maps, and our general comments and requirements regarding your proposed boring locations within Metropolitan's fee properties and in close vicinity of our facilities are as follows:

1. A list of all the equipment, including the drilling equipment, and the field exploration work plan within Metropolitan's fee properties and in close vicinity of our facilities must be submitted for our review and written approval at least 30 days prior to their use. The work plan must include all procedures to be utilized and followed during the execution of the field exploration program, including site closure and demobilization from each drill site.

Please note that Metropolitan's representatives must be present during your drilling operations within Metropolitan's fee or easement rights-of-way. Please contact James Williams of our Water System Operations Group, telephone (951) 926-7007, at least three working days prior to starting any work in the vicinity of our facilities and rights-of-way.
2. Grading or site clearing to enhance the field exploration and drilling activities will not be permitted within Metropolitan's fee and easement rights-of-way without prior written approval.
3. The proposed boring locations must be field staked, checked, and accepted by Metropolitan prior to mobilizing field exploration equipment and commencement of the actual drilling operations.
4. The type, size and depths of all the proposed exploratory borings must be clearly identified and submitted to Metropolitan. Please note that bucket-auger drilling methods will not be acceptable.
5. All the drilling fluids and wastes must be completely contained within portable tanks and must not be permitted to fall onto or flow across the ground surface. Additionally, all the drill cuttings and the drilling fluids must be drummed and completely removed from Metropolitan's properties.

Mr. Hideo Sugita
Page 3
September 28, 2006

Please note that excavated pits, lined or unlined, will not be permitted within Metropolitan's properties.

6. After the drilling operation is complete, the exploratory borings must be completely backfilled with an approved sand-cement-bentonite mixture. Backfill of all the exploratory borings must be performed using tremie methods.

Please note that backfill of the exploratory borings with the drill cuttings will not be permitted.

7. Drilling sites must be returned to their original condition that existed prior to the beginning of any field exploration activities.

Please note that stockpiling of material and equipment is not permitted within Metropolitan's fee or permanent easement rights-of-way.

Besides the general criteria stated above, following are Metropolitan's site-specific comments regarding each boring location:

1. Boring locations 1 and 2:
 - a. The locations of these two borings must be a minimum of 50 feet laterally from the centerline of Metropolitan's Casa Loma Siphon. This would provide geotechnical information on the native materials in the area and not of Metropolitan's Colorado River Aqueduct's backfill.
 - b. At these two locations, vehicles weighing more than 8,000 pounds must not be used within 25 feet of the centerline of Metropolitan's First Barrel Casa Loma Siphon (Metropolitan Stations 10925+00 to 10930+00). Enclosed for your information and use is a print of our Drawing B-363-11.

Mr. Hideo Sugita
Page 4
September 28, 2006

2. Boring location 3:

- a. The location of this boring must be as far to the north as possible, away from the canal, along the canal road.
- b. Since Metropolitan has a transition structure at this location, the boring location must also be a minimum of 25 feet laterally from the outside edges of the transition and siphon structure.
- c. At this location, vehicles that impose loads no greater than AASHTO H-20 may operate over Metropolitan's Second Barrel of the Casa Loma Siphon (Metropolitan stations 143+00 to 151+65) provided the cover is between a minimum of 4 feet and a maximum of 12 feet. Enclosed for your information and use are prints of our Drawings B-13963A and B-14126.

3. Boring location 4:

- a. The location of this boring must be as far to the north as possible, away from the canal, along the canal patrol road.

4. Boring locations 5 through 10:

- a. The locations of these borings must be as far to the west as possible, away from the canal, along the canal patrol road.

Please note that within the vicinity of Metropolitan's canals, vehicles, including drilling equipment, must not attempt to turnaround adjacent to the canal. Vehicles must enter from one access gate and continue one-way along the canal patrol road until they exit at the next access gate. Please also note that the speed limit along the canal patrol road must not exceed 15 miles per hour at any time.

Besides the general and site-specific criteria provided earlier, following are Metropolitan's geotechnical comments and considerations that might assist your geotechnical consultant in the development of design-level geotechnical

exploration, testing and analysis plans for the project; including the type, number and depth of the explorations required.

Increased Vertical Loading:

Metropolitan's facilities may be subject to increased vertical loading depending on which alignment is chosen for the State Route 79 realignment project. The design for the realignment project must consider the impacts associated with these increased vertical loads, which can be due to construction, dead, live and seismic loads, imposed on various Metropolitan facilities including pipelines, conduits, siphons and canals. Locations where new embankments are being proposed within close proximity of Metropolitan's facilities, increased vertical loading will be of extreme concern to Metropolitan. Some of Metropolitan's facilities have the structural capacity to resist the additional loads; however, many of our facilities will not be able to resist these additional loads. In cases where our facilities will not be able to resist the additional loads, protective systems will be required to ensure that the structural integrity of Metropolitan's facilities are not compromised. Please note that sufficient geotechnical exploration, testing, and analysis must be conducted to evaluate the increased loads on Metropolitan's facilities.

Increased Lateral Loading:

Metropolitan's facilities may also be subject to increased lateral loading depending on the alignment chosen for the realignment of State Route 79. New embankments, bridge abutments and other structures supported by piles constructed adjacent to or above Metropolitan's pipelines, siphons, conduits and canals can induce lateral loads. Similar to the increased vertical loading, Metropolitan's facilities might require protective systems to mitigate the additional lateral loads induced on our facilities. In general, the lateral load resistance capacity of the Metropolitan's canal linings is minimal, whereas, our pipelines, conduits and siphons are somewhat more resistant. Please note that sufficient geotechnical exploration, testing and analysis must be conducted to evaluate the increased lateral loads on Metropolitan's facilities imposed by piles, shallow foundation systems and embankment loads.

Mr. Hideo Sugita
Page 6
September 28, 2006

Induced Settlement:

Metropolitan's facilities including canals, pipelines, siphons and other conduits are relatively sensitive to settlement. Since the near surface soils in the general area of the realignment project are somewhat compressible; construction of any new roadway facilities and embankments near, adjacent or above Metropolitan's facilities is of a major concern to Metropolitan. Please note that geotechnical exploration, testing and analysis must be thorough enough to evaluate and quantify settlements induced by the construction of the roadway features on Metropolitan's facilities, including identification of incompressible soil layers.

Drainage:

Construction of roadways and embankments for the realignment project adjacent to Metropolitan's canals may result in trapped surface drainage between our canals and the new roadways and embankments. If these roadways and embankments are not properly designed, water may pond above and/or adjacent to our canals, thereby creating excessive external hydrostatic pressures on the canal linings. This could cause instability and result in failure of the canal wall. This situation could be exacerbated in this area since the soils are fine-grained and dispersive in nature. Geotechnical characterization of the soils for construction adjacent to Metropolitan's canals must be sufficient enough to support drainage design requirements and erosion mitigation measures.

Please note that plans of the realignment project for SR-79 within close vicinity of Metropolitan's facilities and easement/fee rights-of-way must be submitted to Metropolitan for our review and prior written approval. In addition, appropriate rights will need to be acquired from Metropolitan where the alignment crosses our fee property.

Facilities constructed within Metropolitan's fee properties and/or easements shall be subject to the paramount right of the Metropolitan to use its rights-of-way for the purpose for which they were acquired. If at any time Metropolitan or its assigns should, in the exercise of their rights, find it necessary to remove any of

Mr. Hideo Sugita
Page 7
September 28, 2006

the facilities from its rights-of-way, such removal and replacement shall be at the expense of the owner of the facility.

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Ish Singh at (213) 217-6679.

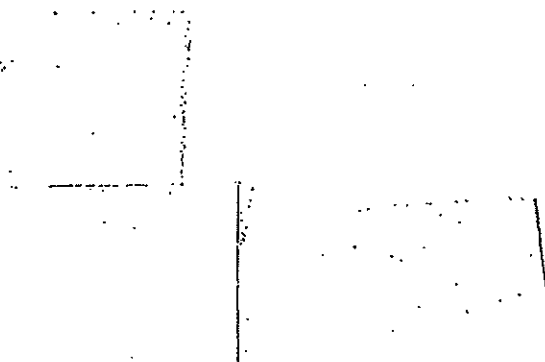
Very truly yours,

Kieran M. Callanan, P.E.
Manager, Substructures Team

IS/ly
DOC 2001-06-008

Enclosure

Mr. Hideo Sugita
Page 8
September 28, 2006



MWD Colorado River Aqueduct
Sta. 10899+00 to 11022+00
Substr. Job No. 2001-06-008

March 29, 2007

Ms. Merideth Cann, P.E.
Jacobs Civil, Inc.
3850 Vine Street, Suite 120
Riverside, CA 92507

Dear Ms. Cann:

Mid-County Parkway Project

Thank you for your email dated January 8, 2007, submitting a map and a cross-section drawing for the proposed South Alternative at State Route 79 for the Mid-County Parkway Project (MCP) in Riverside County.

In order to review the submitted map and cross section, we require additional detailed information on the embankments, bridges and proposed roadway elevations, which has been requested from Mr. Rick Simon of CH2MHILL by Shoreh Zareh of our staff. However, until we receive this necessary information, we are sending you a copy of our previous correspondence dated September 28, 2006 (copy enclosed), which includes our geotechnical comments and considerations that will need to be addressed in the design of the State Route 79 project. These comments and considerations will also apply for any other proposed reaches of the Mid-County Parkway Project that will be constructed near, adjacent to, and over Metropolitan facilities.

Additional information on potential impacts to Metropolitan's facilities can be provided in order to assist you with the design of the Mid-County Parkway Project, when we receive the requested detailed drawings.

Ms. Merideth Cann

Page 2

March 29, 2007

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number located in the upper right-hand corner of this letter. Should you require any additional information, please contact Shoreh Zareh at (213) 217-6534.

Very truly yours,

Kieran M. Callanan, P.E.
Manager, Substructures Team

SZ/kjm/ly
DOC 2001-06-008-2

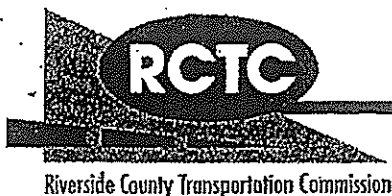
Enclosure

cc: Mr. Hideo Sugita
Deputy Executive Director
Riverside County
Transportation Commission
P.O. Box 12008
Riverside, CA 92502-2208

Mr. Rick Simon
CH2MHILL
2280 Market Street, Suite 200
Riverside, CA 92501

Ms. Merideth Cann
Page 3
March 29, 2007

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4080 Lemon Street, 3rd Floor • Riverside, CA
Mailing Address: P. O. Box 12008 • Riverside, CA 92502-2208
(951) 787-7141 • Fax (951) 787-7920 • www.rctc.org

April 21, 2008

John Kalish
Field Manager
U.S. Department of Interior/Bureau of Land Management
690 West Garnet Avenue
North Palm Springs, CA 92258-1260

Subject: Mid County Parkway Project (BLM Ref No. 1610/CA660.62)

Dear Mr. Kalish:

Your letter of October 12, 2007 (copy attached), received in response to the Supplemental Notice of Preparation for the Mid County Parkway project, expressed concern with regard to the potential for the proposed Mid County Parkway project to encroach upon 14 parcels of land managed by the Bureau of Land Management (BLM). These parcels are currently managed for the protection of sensitive species under the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP) and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Oversight for these HCPs is carried out by the Riverside County Habitat Conservation Agency (RCHCA) and the Western Riverside County Regional Conservation Authority (RCA). Your letter stated that "the proposed Mid County Parkway project and any alternatives being considered would need to stay outside of the BLM administered public lands".

On April 2, 2008, RCTC staff and our project consultants had the opportunity to meet with Michael Bennett and Greg Hill of the BLM to discuss and clarify under what conditions any encroachment onto these BLM managed parcels could occur. Also in attendance at the meeting was Gail Barton from the RCHCA. At our meeting, we resolved and agreed to the following:

1. The BLM South Coast Resource Management Plan adopted in 1994 would not prohibit consideration of the Mid County Parkway project encroaching within BLM lands.
2. Any potential encroachment of the Mid County Parkway project into BLM lands should be clearly acknowledged and disclosed in the Mid County Parkway EIR/EIS.

John Kalish
April 21, 2008
Page Two

3. Mitigation for encroachment of the Mid County Parkway project into the BLM managed parcels within the Stephens' Kangaroo Rat HCP reserve lands shall be provided by RCTC in accordance with the provisions of the Stephens' Kangaroo Rat HCP (1:1 replacement of any occupied Stephens' Kangaroo Rat habitat) and subject to approval of the RCHCA, US Fish and Wildlife Service (USFWS), and California Department of Fish and Game (CDFG). BLM staff acknowledged that they would defer to RCHCA on the acceptability of the mitigation lands and the HCP consistency determination.
4. RCTC will submit an application to BLM for this right-of-way encroachment (Standard Form 299 - Application for Transportation and Utility Systems and Facilities on Federal Lands) along with the necessary filing fees in accordance with BLM's cost recovery regulations.

Based on the above resolution and agreements, we request a written response from the BLM confirming the acceptability of encroachment onto these BLM managed parcels under the conditions specified above.

By copy of this letter to the RCHCA, we are also requesting a similar written response from the RCHCA that the approval process described above in Item 3 is the process that RCTC should follow so that the RCHCA can evaluate the project's consistency with the Stephens' Kangaroo Rat HCP.

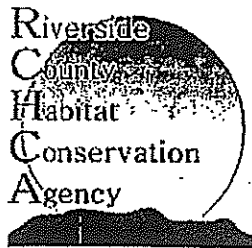
RCTC greatly appreciates the opportunity to work cooperatively with the BLM, RCHCA, and RCA on the Mid County Parkway project. If you have any questions regarding our request, please contact me at (951) 787-7141 or via e-mail at cbechtel@rctc.org.

Sincerely,



Cathy Bechtel
Project Development Director

cc: Gail Barton, RCHCA
Merideth Cann, Jacobs Civil, Inc.
Tay Dam, FHWA
Nassim Elias, Caltrans District 8
Charles Landry, RCA
Rob McCann, LSA Associates, Inc.
Shawn Oliver, FHWA
Marie Petry, Caltrans



Riverside County Habitat Conservation Agency

A Joint Powers Authority

May 5, 2008

RCHCA
Board of Directors

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Vice-Chair

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Supervisor Bob Buster

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Steve Brown

Executive Director
Carolyn Syms Luna

General Counsel
Karin Watts-Bazan
Deputy County Counsel

Ms. Cathy Bechtel
Project Development Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501

Subject: Mid County Parkway Project

Dear Ms. Bechtel:

This letter is in response to your letter of April 21, 2008, that summarizes a meeting held on April 2, 2008, to address the Bureau of Land Management's (BLM) concerns regarding the proposed Mid County Parkway project.

Because of the potential impact to BLM lands that are located within the Stephens' kangaroo rat (SKR) Lake Mathews Core Reserve, the Riverside County Habitat Conservation Agency (RCHCA) was asked to participate in the meeting.

As requested in your letter, we are providing written concurrence to the approval process discussed at the meeting, described in Item 3 of your letter and included herein as:

Mitigation for encroachment of the Mid County Parkway project into the BLM managed parcels within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) reserve lands shall be provided by RCTC in accordance with the provisions of the SKR HCP (1:1 replacement of any occupied SKR habitat) and subject to approval of the RCHCA, U.S. Fish and Wildlife Service, and California Department of Fish and Game. BLM will defer to RCHCA on the acceptability of the mitigation lands.

Please feel free to contact us if we can be of any further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Syms Luna".

Carolyn Syms Luna
Executive Director

CSL:GB:kh

RECEIVED
MAY 07 2008

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

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**WASTE MANAGEMENT
EL SOBRANTE LANDFILL**

P.O. Box 77908
Corona, CA 92877
(951) 277-1740
(951) 277-1861 Fax

May 6, 2008

Ms. Cathy Bechtel
Division Head, Planning
Riverside County Transportation Commission
P.O. Box 12008
Riverside, CA 92502-2208

RECEIVED
MAY 06 2008

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Subject: El Sobrante Habitat Conservation Plan

Dear Ms. Bechtel:

At our last meeting, you requested that USA Waste of California, Inc. (USA Waste) respond to RCTC regarding our willingness to address changes to the El Sobrante Habitat Conservation Plan (HCP) that may be needed to facilitate construction of the proposed Mid-County Parkway. The following constitutes our response.

I. Background

The El Sobrante Landfill is a public/private partnership between USA Waste and Riverside County. El Sobrante is a large regional disposal facility with more than 30 years of remaining life. Its location in the Temescal Valley was selected by Riverside County in the early 1980's after an exhaustive siting study was conducted, evaluating more than 15 possible locations. El Sobrante is a critical component of Riverside County's solid waste management system, handling the majority of the solid waste generated by the communities in western Riverside County. It is also an important economic engine for the County, generating more than \$4 million dollars per year in general fund revenue collected from solid waste imports. It also provides nearly 50 living wage jobs, totaling more than \$4 million per year in wages, benefits and payroll taxes. It also purchases \$3.5 million in operating supplies, goods and services from local vendors and on average will continue to spend more than \$15 million dollars per year for capital purchases such as heavy equipment and landfill construction services.

For USA Waste and its parent company, Waste Management, El Sobrante is one of its largest and most valuable assets in the country. Considerable Company resources are expended annually at El Sobrante to construct the landfill, expand and maintain the infrastructure, and to operate the facility above and beyond California's strict standards. It is a facility that we are exceptionally proud of and will expend considerable effort to insure that it continues to be an asset to both USA Waste and Riverside County through the remainder of its active life, and beyond.

USA Waste has enjoyed a long-term relationship with Riverside County through our public/private partnership at El Sobrante Landfill and through our various recycling and solid waste collection franchises. It is important to USA Waste that this relationship continues with Riverside County for many years to come.

B.1.9.2.1

From everyday collection to environmental protection, Think Green® Think Waste Management.

II. Expression of Concern

Notwithstanding the importance to USA Waste of maintaining its relationship with the County, USA Waste is very reluctant to agree to take any action that would seek to reopen our HCP or to agree to any action that would alter or otherwise affect the areas set aside in the HCP for conservation purposes. The HCP took many years to develop and is a key component of our continued operations. The Section 10(a)(1) and Section 2081 permits issued to USA Waste by the United States Fish and Wildlife Service and California Department of Fish and Game authorize USA Waste to operate the landfill for eighty (80) years and obligate USA Waste to comply with conditions that help ensure the conservation of the species covered by the permits and the HCP. The HCP also provides assurances to USA Waste that it will not have to commit additional resources if there are unanticipated circumstances.

We want to emphasize that USA Waste does not have the unilateral right to change those permits, to alter the activities covered by the HCP or to delete lands protected under the HCP. We note that the areas you seek to use for the Mid-County Parkway are subject to easements that protect those lands from uses that would affect the conservation value of those lands. In short, any changes that would need to be made to allow use of these lands for the Mid-County Parkway would require the approval of both the Fish and Wildlife Service and Fish and Game.

Even if these approvals can be obtained, the proposed alignment of the Mid-County Parkway creates both short and long term risk for USA Waste that will increase our costs significantly above where they would be absent the Mid-County Parkway. These increased costs will come from many sources, including expenses related to:

- Permit modifications;
- Increased habitat management costs from weed control, litter control, and fire management due to edge effects;
- Potential changes to authorized operations;
- Litigation from adversaries of the Mid-County Parkway; and
- Increased community outreach and public education.

III. Offer of Cooperation

Despite these concerns, because of our long relationship with the County, we are willing to discuss cooperating with the County on this project if the County and the concerned resource agencies determine that this route best serves the overall public interest, if the operation of the landfill is fully protected from any risk of curtailment of our operations, if USA Waste is fully compensated for all costs it may incur as a result of the project and if the County is receptive to the other financial issues we have identified in this letter. As part of this Offer of Cooperation, we will require a formal agreement with the County to address our concerns and to guarantee that USA Waste will be fully compensated. We describe below some potential areas for further discussion.

Even though we have made this Offer of Cooperation, please keep in mind that USA Waste prefers for the RCTC to select a Mid-County Parkway alignment that coincides with the existing Cajalco Road alignment, thereby, reducing the fragmentation of the regional preserve and eliminating the need to address impacts to the El Sobrante HCP.

IV. Approach to Permit Modifications

The construction of the Mid-County Parkway along the proposed alignment will directly impact approximately 20 acres of the El Sobrante HCP preserve where the alignment crosses the northeastern corner of our wildlife preserve. We are fundamentally opposed to any course of action that seeks to amend the El Sobrante HCP to include the Mid-County Parkway as an authorized activity under the HCP. Our offer of cooperation is conditioned on the RCTC agreeing to develop its own HCP for the affected lands and for the County to assume responsibility to carry out all of the permit actions, minimization measures and mitigation for the new HCP. As part of the development of the Mid-County Parkway HCP, the County would be obligated to mitigate for any impacts to conserved lands under the El Sobrante HCP. The only modification to the El Sobrante HCP that we envision is for USA Waste to be fully released from any obligations it currently has for lands affected by and included in the Mid-County Parkway HCP.

V. Increased Habitat Management Costs Due to Direct Impacts and Indirect Impacts

Even if the County proceeds with a separate HCP for its impacts, the development of the Mid-County Parkway is likely to cause hard-to-measure indirect impacts to our preserve through "edge effects". These impacts are discussed in our response to the Notice of Preparation prepared and submitted to you on September 12, 2007 by Brenna Moorhead of Sheppard Mullin Richter & Hampton LLP. A copy of Ms. Moorhead's letter is attached for your convenience.

By virtue of the close proximity of the Parkway to the El Sobrante Preserve, increased litter, additional weed control of non-native species, and the threat of fire from the Parkway traffic will increase our annual operating costs. Since the inception of the El Sobrante HCP in 2001, USA Waste has spent more than \$1,000,000 managing the Preserve. With the encroachment of the Mid-County Parkway across the El Sobrante Preserve, we anticipate that our costs to manage the Preserve will increase by \$120,000 annually for weed and litter control even if the area subject to our HCP will be reduced.

The threat of wildfires and the resultant damage to the El Sobrante Preserve and the Landfill are a significant concern for USA Waste. In 2007, a wildfire generated by an off-road vehicle trespassing on the El Sobrante Preserve scorched nearly 1/3 of the El Sobrante Preserve, including a pristine riparian area and many large cactus patches. The estimate to completely restore these areas is in excess of \$500,000. By locating the Mid-County Parkway so close to the El Sobrante Preserve, the threat of damage from wildfires increases significantly. One only needs to look at the experiences in Orange County over the past few years where wildfires originating from or near the 241 toll way have become nearly an annual occurrence. USA Waste believes that during the remaining 71 years of the El Sobrante HCP, wildfires that damage the El Sobrante Preserve will increase in frequency after the Parkway becomes operational.

To mitigate this concern, USA Waste will require a Fire Restoration fund or endowment to provide funds as may be needed to control exotic species and restore sensitive habitats in the El Sobrante Preserve areas following a fire originating from the Parkway. As an example of a funding scenario, an endowment established in 2008 in the amount of \$1,900,000 would ensure that by 2018 (assuming a 5 percent rate of return and 3 percent inflation) a fund of \$3,000,000 would be available for catastrophic fires. Using this funding mechanism, in the absence of

catastrophic fires, up to \$70,000 would be available for fire related restoration of lands impacted by smaller fires, while retaining the \$3,000,000 fire fund. This fund would be created and maintained by RCTC to compensate USA Waste in the event that a fire originating from the Parkway damages the El Sobrante Preserve.

VI. Litigation from Mid-County Parkway Adversaries

We believe that it is likely that opponents to the Mid-County Parkway will seek many avenues to oppose the project. We are concerned that this could lead to litigation against the El Sobrante HCP and USA Waste, directly or indirectly. As part of the agreement for the Offer of Cooperation, the RCTC and Riverside County must agree to defend, indemnify and pay for all costs associated with any litigation and to fully compensate USA Waste for any increased costs, reduced capacity or lost income that may result from these lawsuits or from any other avenue.

VII. Increased Community Outreach and Public Education

Landfills, much like waste water treatment plants, power plants, mines, airports, and freeways, are critical components of a modern society's infrastructure, but they are generally not welcome by the citizens that live near them or have to look at them on a daily basis. The location of El Sobrante is nearly ideal from a visual and aesthetic point of view. The facility is screened from the majority of residents and commuters that utilize the I-15 corridor and is a significant distance from local commuters that currently utilize Cajalco Road to transit between I-15 and the I-215. The benefit to USA Waste and Riverside County from this visual and spatial boundary is that to the majority of the public, El Sobrante is nearly invisible. This level of invisibility is extremely desirable because it tends to make a facility like El Sobrante less controversial. By constructing the Mid-County Parkway so close to El Sobrante, the landfill will be exposed to hundreds of thousands of commuters each year, causing us to lose this strategic advantage. To counter the negative public reaction that will likely accompany the public realization of our facility's location, USA Waste will be forced to expend considerably more time and money for community outreach and public education.

Currently, El Sobrante devotes one full-time employee to community outreach and public education activities in the Temescal Valley and adjacent areas. The cost of these efforts, including salaries, Adopt-A-Highway programs, school programs, monthly newsletters, and community tours exceed \$190,000 per year. With the alignment of the Mid-County Parkway so close to El Sobrante, it is reasonable to assume that our efforts will double as we expand our message to reach the commuters that will be viewing our facility for the first time.

VIII. Other Costs and Compensation

We have not had the opportunity to identify fully all costs and compensation measures that we would require as part of the Offer of Cooperation. However, if the RCTC and Riverside County are committed to the current proposed alignment, we anticipate the Offer of Cooperation will need to include the following items.

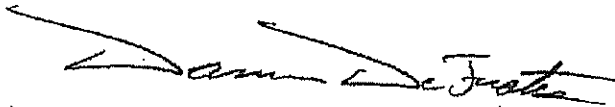
1. RCTC will reimburse USA Waste for its expenses related to the permitting of the Mid-County Parkway, including but not limited to costs associated with developing the Offer of Cooperation. These expenses include legal services, consulting engineers, consulting biologists, permitting fees, USA Waste staff fees, including overhead, land and any other costs.

2. RCTC will make all payments within 30 days of receipt of an invoice or will pay a reasonable interest for late payment.
3. RCTC will indemnify, defend and hold USA Waste, its officers, directors, shareholders, agents, employees, and independent contractors free and harmless from any liability or costs related to the permitting, development, construction and operation of the Mid-County Parkway and to fully compensate USA Waste for any increased costs, reduced capacity or lost income that may result from lawsuits or from any other avenue.
4. RCTC will be solely responsible for the costs associated issuance of any needed permits for the Mid-County Parkway including its own HCP and any modifications to the El Sobrante HCP to reflect areas that are no longer the responsibility of USA Waste and with locating and purchasing any habitat to mitigate for the loss of habitat caused by the Mid-County Parkway. The acreage needed for mitigation should be of sufficient size and quality to meet the demands of the regulatory agencies.
5. RCTC will reimburse USA Waste for any mitigation and increased maintenance costs associated with damage (i.e., litter, uncontrolled access, fires) to the El Sobrante Preserve caused by the construction and related activities of the Mid-County Parkway.
6. RCTC will establish a Fire Restoration Trust Fund or endowment to provide funds in the amount of at least \$3,000,000 or such as required reimbursement for the benefit of USA Waste and the California Department of Fish and Game to restore any habitat damaged on the El Sobrante Preserve by wildfires originating from the Mid-County Parkway or its vicinity. This fund will be adjusted annually by CPI and be reestablished by RCTC in the event that funds are withdrawn to mitigate fire damage.
7. RCTC will reimburse USA Waste for all costs of public outreach and public education related to the Mid-County Parkway.
8. Riverside County will amend the Second El Sobrante Landfill Agreement to compensate USA Waste for ongoing operational costs and risk. The amendments should address the adjusting the compensation mechanisms for in-county and out-of-county wastes to include the following:
 - USA Waste will be given operational control of the scale house and load check program, eliminating the monthly fee paid by USA Waste to the Riverside County Waste Management Department for the cost of operation of the scale house and load check programs associated with the delivery of out-of-county waste.
 - USA Waste will receive all "hard to handle fees" and surcharges for in-county and out-of-county wastes charged at the El Sobrante Landfill.
 - The compensation paid to USA Waste to handle in-county waste will be increased by \$1.00 per ton from the rate then in effect.

- The rate increase mechanism in the Second Agreement for the compensation USA Waste receives for the disposal of In-County waste will be changed to full CPI.
- Riverside County will work cooperatively with USA Waste to develop recycling programs and processing fees for El Sobrante. USA Waste will receive all agreed upon recycling processing fees charged at El Sobrante to help fund the costs of recycling programs at El Sobrante.
- Riverside County will work cooperatively with USA Waste to define a second classification of out-of-county waste that does not impact the "most favored nation" clause (MFN) of the Second Agreement. This classification of waste will be for temporary projects such as the clean up and disposal of remediation wastes including contaminated soil, excavation of older landfills, or the removal of industrial wastes; provided that such waste streams meet all regulatory requirements for disposal at El Sobrante Landfill. If agreed upon, this classification of waste will benefit Riverside County and USA Waste by bringing in a significant source of revenue and general fund dollars from waste streams that have been diverted away from El Sobrante due to the potential impact to the MFN rate.

After you have had a chance to review this letter, we would like to schedule a meeting to discuss the contents and answer any questions you may have. Please contact me at (951) 277-5103 to schedule a meeting.

Sincerely,



Damon De Frates
Senior District Manager

Enclosures

cc: Supervisor Bob Buster, Riverside County Supervisors, 1st District
Supervisor Jeff Stone, Chairman, Riverside County Transportation Commission
Hans Kernkamp, General Manager, Riverside County Waste Management Department



Four Embarcadero Center | 17th Floor | San Francisco, CA 94111-4106
415-434-9100 office | 415-434-3947 fax | www.sheppardmullin.com

Writer's Direct Line: 415-774-2972
bmoorhead@sheppardmullin.com

Our File Number: 0WBS-072938

September 12, 2007

VIA FACSIMILE AND EXPRESS MAIL

Ms. Cathy Bechtel
Riverside County Transportation Commission
4080 Lemon Street, Third Floor
Post Office Box 12008
Riverside, California 92502-2208

Re: Supplemental Notice of Preparation for the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Mid County Parkway Project, SCH#2004111103

Dear Ms. Bechtel:

Sheppard Mullin Richter & Hampton represents USA Waste of California, Inc. ("USA Waste"), which owns the El Sobrante Landfill ("Landfill"). On behalf of USA Waste, we appreciate the opportunity to respond to the Supplemental Notice of Preparation of a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Mid County Parkway Project (dated July 31, 2007), and for the extension you granted USA Waste to respond by September 14, 2007. The Notice of Preparation ("NOP") announces that the Riverside County Transportation Commission ("RCTC") and the Federal Highway Administration ("FHWA") are preparing a project-level Draft Environmental Impact Report/Environmental Impact Statement ("EIR/EIS") in connection with the Mid County Parkway Project ("MCP"), an east-west regional transportation facility that includes the Ramona Expressway/Cajalco Road alignment south of Lake Mathews in western Riverside County. The report is intended to satisfy the requirements of the California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA").

As you are aware, USA Waste's primary concern is the probable environmental effects that the MCP will have on the implementation of the El Sobrante Multiple Species Habitat Conservation Plan ("El Sobrante HCP"). The MCP is likely to adversely impact the value of sensitive habitat that USA Waste successfully preserved and restored pursuant to the HCP. This and other concerns are set forth in greater detail below. We anticipate continuing this dialogue with RCTC throughout the preparation of the EIR/EIS to ensure the thorough assessment of the MCP's effects, and the elimination or mitigation of significant impacts on the El Sobrante HCP.

Ms. Cathy Bechtel
September 11, 2007
Page 2

I. EL SOBRANTE HCP

The El Sobrante HCP covers land located within the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP") Conservation Area, but its activities are governed by its own approved HCP. (See Attachment 1: Regional Location Map.) The lands covered are referred to as the HCP Plan Area, which is comprised of the Landfill and Undisturbed Open Space (referred to in this letter as the "Preserve"). The Landfill Area measures approximately 645 acres. Once it is closed, the Landfill will be restored to Riversidian sage scrub habitat according to the El Sobrante HCP. The Undisturbed Open Space, or Preserve, totals approximately 688 acres. (See Attachment 2: HCP Plan Area.)

The HCP covers two federally or state listed species, specifically the Stephens' kangaroo rat (*Dipodomys stephensi*) and the California gnatcatcher (*Poliophtila californica californica*). In addition, the HCP covers twenty-nine other plant or animal species, including the Many-stemmed dudleya (*Dudleya multicaulis*). If any of these species become listed, incidental take of the species would be authorized under the incidental take permits. Covered activities include site preparation and landfill construction, waste management operations, closing and capping the landfill, maintenance and monitoring of the site, post-closure monitoring and maintenance, and HCP implementation.

The U.S. Fish & Wildlife Service ("Service") issued incidental take permits under Section 10 of the Endangered Species Act for the El Sobrante HCP on July 24, 2001. The California Department of Fish & Game ("Department") also issued Section 2081 permits in August 2001 pursuant to the California Fish & Game Code. The permits cover an 80-year time period, covering 50 years of operation of the Landfill followed by 30 years of continued monitoring of preserved and restored habitat. At the end of the 80-year term, approximately 1,305 acres will be permanently conserved as protected species habitat.

USA Waste, the Service, the Department, and Riverside County entered into the HCP Implementation Agreement (dated July 2001) ("Agreement"). Under Section 7.1 of the Agreement, the County must "accept the Dedication Lands subject to a Conservation Easement which shall be reserved in favor of a Designated Grantee for mitigation under the HCP for Covered Activities." Additionally, the Agreement requires the County to cooperate with the management measures provided for in the Conservation Easement.

USA Waste placed conservation easements and recorded grant deeds in favor of the County over the Preserve lands. Paragraph 4 of the grant deed recorded as No. 079492 on February 13, 2002 states:

[The County of Riverside] hereby covenants and agrees, for itself and its successors and assigns that Grantee and such successors and assigns shall not take any action or cause any action inconsistent with the terms of the Permits or take any action or cause an action to be

Ms. Cathy Bechtel
September 11, 2007
Page 3

taken that would in any way impede Grantor's ability to carry out the terms of the Permits.

The breach of this covenant would grant USA Waste the right to exercise all its rights and remedies and maintain any actions to enforce the curing of the breach, subject to Paragraph 4.5 of the Implementing Agreement. Under Paragraph 4.5, the County is required indemnify USA Waste in connection with "physical damages to any property, resulting from any willful act or omission of the County, its agents and employees occurring on or about the Plan Area."

II. PROBABLE ENVIRONMENTAL EFFECTS FOR REVIEW

A. Biological Resources

The NOP states that consistency with applicable HCPs will be addressed in the EIR/EIS. It appears that all of the proposed alternatives are inconsistent with the El Sobrante HCP in that they impact the existing Preserve either directly or indirectly. In fact, the NOP acknowledges that the inconsistencies of the MCP alternatives with the El Sobrante HCP may require an amendment of the HCP, for which approval from the Service and the Department would be required. The EIR/EIS must evaluate the effects of these inconsistencies on implementation of the El Sobrante HCP, any effects of CEQA mitigation measures that might result from amending the HCP, and any provision of off-setting mitigation that might be necessary to compensate for mitigation land lost as a result of the MCP.

Section 17.2.2 of the Implementation Agreement requires amendments for all changes not originally contemplated or not otherwise agreed to by the Service, the Department, and USA Waste to be minor modifications. Section 17.2.1 requires that amendments to an HCP "follow the same process followed for the original HCP certification." This lengthy process may include public notice and potential additional environmental review, depending on the nature and scope of the amendment. Not only could an amendment trigger a new review and approval process, but it would potentially expose USA Waste to opposition and possible legal challenges from conservation groups who might oppose amendment.

Appendix G of the CEQA Guidelines, Environmental Checklist Form, identifies "[c]onflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Plan, or other approved local, regional, or state conservation plan" as a threshold of significance. Consistency with the El Sobrante HCP should be adopted or otherwise used as a significance criterion in evaluating the impacts of the MCP.

Under all of the alternatives, the MCP would conflict with and result in significant effects either directly or indirectly on the HCP. Alternative 9 poses the most significant impact by directly impacting and fragmenting the El Sobrante Preserve. These effects must be thoroughly examined in the EIR/EIS. USA Waste favors any alternative that poses no direct or indirect impacts to the Preserve. Fragmentation of the Preserve should be avoided as an activity that is inconsistent with the purposes of the conservation easements.

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September 11, 2007
Page 4

In particular, the fragmentation of the dudleya restoration site that could result from Alternative 9, depending on the alignment, is of concern. The HCP required that these restoration sites be of "suitable size so that dudleya patch size and distribution will be similar to the impact site." Dudleya restoration has been successful with 30,000 to 60,000 plants in the Preserve. USA Waste favors an alternative that would avoid all direct and indirect effects to the Preserve, and ask that such an alternative be included in the EIR/EIS.

The effect of increased vehicle emissions to protected species and habitats is another potential impact of the MCP. Nitrogen deposition from vehicles and other sources tend to be destructive to serpentine habitat as well as to other sensitive aquatic and terrestrial species habitats. The Northern red diamond rattlesnake (*Crotalus ruber ruber*) is one of seven amphibian or reptile species covered by the El Sobrante HCP. These impacts should be evaluated in addition to the other air quality impacts resulting from the MCP which potentially affect Landfill operations as noted below.

In addition to the direct effects on the HCP Preserve, indirect effects resulting from the close proximity of the corridor will make managing the Preserve more challenging and expensive. Currently the HCP is not designed to address the invasive elements (i.e., weeds, trash), light or noise that the roadway would bring. In addition, we are concerned that the close proximity of high speed vehicles to the undisturbed Preserve will increase the likelihood of fires. Based on these potential impacts, the MCP might undermine the effectiveness of the El Sobrante HCP. Appropriate mitigation measures for these impacts should be identified and included in the EIR/EIS.

B. Geology and Soils

The MCP alternatives are in close proximity to the landfill's limit of disturbance. The southernmost alternative in particular is located closest to the northernmost edge of the limits of grading for the Landfill. This proximity may cause a risk of water discharge or flooding from the corridor into the Landfill's limit of disturbance. The intrusion of water into the limits of grading could require additional drainage structures and modifications to the planned footprint of the Landfill, a significant effect.

The current landfill design did not anticipate additional water discharge from the proposed impervious MCP surface or potential impacts to groundwater quality resulting from impacted storm water. Ditches have been designed and constructed where needed along the perimeter of the Landfill to intercept storm water run-on prior to contact with the refuse column. These potential impacts on the Landfill's limit of disturbance and potential impacts to the groundwater monitoring network should be examined under all alternatives, where applicable, and appropriate mitigation measures identified.

C. Air Quality

USA Waste requests that the MCP's study of air quality includes the Landfill. The EIR/EIS should address the increase in vehicles and mitigate the resultant air quality impacts along

Ms. Cathy Bechtel
September 11, 2007
Page 5

the corridor so as not to trigger the Landfill's air quality mitigation measures and thereby adversely impact the Landfill's operation and construction activities. (See Attachment 3: Mitigation Measure AQ-11.) The effects of increased levels of NO₂ could directly conflict with operation of the Landfill. The significance of all project-related pollutant emissions must be considered. Therefore, these potential effects to the Landfill operations should be considered, and appropriate mitigation measures identified in the EIR/EIS to ensure that the MCP does not impinge on the Landfill's ability to meet its mitigation requirements.

D. Transportation/Traffic

The Project will negatively impact flow on Interstate 15 ("I-15"), which currently operates at Level of Service F. USA Waste has agreed with Riverside County to have all of the county waste management transfer trucks use only I-15 as the access corridor to the Landfill. Increased traffic due to the MCP will impact Landfill truck trips and Landfill operations. This impact should be analyzed in the EIR/EIS, and appropriate mitigation measures should be identified to ensure no direct conflict with Landfill operations.

E. Visual

The Landfill operates 24 hours a day, has night-time lighting, and will be within the view shed of corridor users. The MCP's effect and compatibility with this operation should be assessed in the EIR/EIS and mitigation identified, where appropriate, to ensure the MCP will not impair the long-term operation of the Landfill.

III. ALTERNATIVES TO BE REVIEWED

Of the proposed alternatives, Alternative 9 would have the greatest impact on the El Sobrante Preserve. It would directly impact a minimum of approximately 20 acres of the Preserve set aside for preservation of native plant and animal species. Alternative 1A, the No Project/No Action alternative, would be preferable to any alternative that impacts the Preserve or the Landfill.

The NOP states that Alternatives 2 and 3 have been removed from consideration due to "engineering feasibility issues." Each of these alternatives provided for a parkway north of Lake Mathews. These alternatives would pose no direct impacts and potentially less indirect impact to the Landfill and the Preserve areas for the El Sobrante HCP. USA Waste requests that northern alternatives be studied in detail under this EIR/EIS. In addition, a more southerly alternative that avoids all impacts to the Landfill should be considered. No such alternatives are now proposed to be studied in this EIR/EIS. Including these alternatives would comport with CEQA and NEPA requirements to examine alternatives that would reduce or eliminate significant environmental effects of the MCP.

As discussed above, impacts to the area must be thoroughly analyzed in the EIR/EIS, with appropriate mitigation identified for those alternatives that would impact the Preserve. Mitigation would include, among other measures, potential amendment of the HCP to ensure MCP

SHEPPARD MULLIN RICHTER & HAMPTON LLP

Ms. Cathy Bechtel
September 11, 2007
Page 6

impacts to the Preserve are off-set. This measure could result in additional review and potential legal challenges.

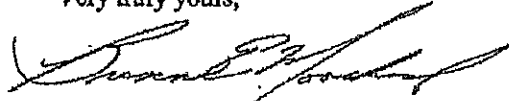
IV. CONCLUSION

We appreciate the opportunity to comment on the NOP. We request that you thoroughly review each of these concerns in the EIR/EIS and address significant impacts to the El Sobrante Landfill or Preserve with appropriate off-setting mitigation measures.

If the County chooses a preferred alternative that requires amendment of the HCP as a necessary mitigation measure, USA Waste would seek indemnification from the County for any potential lawsuits and for loss of profits resulting from amending the HCP pursuant to the El Sobrante grant deeds and the Implementation Agreement.

On behalf of USA Waste, we look forward to discussing these issues with you further. Please do not hesitate to contact us if you require information regarding the nature and scope of these potentially significant adverse impacts. Mr. Damon De Frates of USA Waste is the contact person. He can be reached at 951-277-5103 and all correspondence regarding the MCP should be sent to him at USA Waste of California, Inc., El Sobrante Landfill, 10910 Dawson Canyon Road, Corona, CA 92883.

Very truly yours,



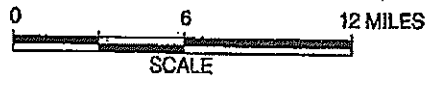
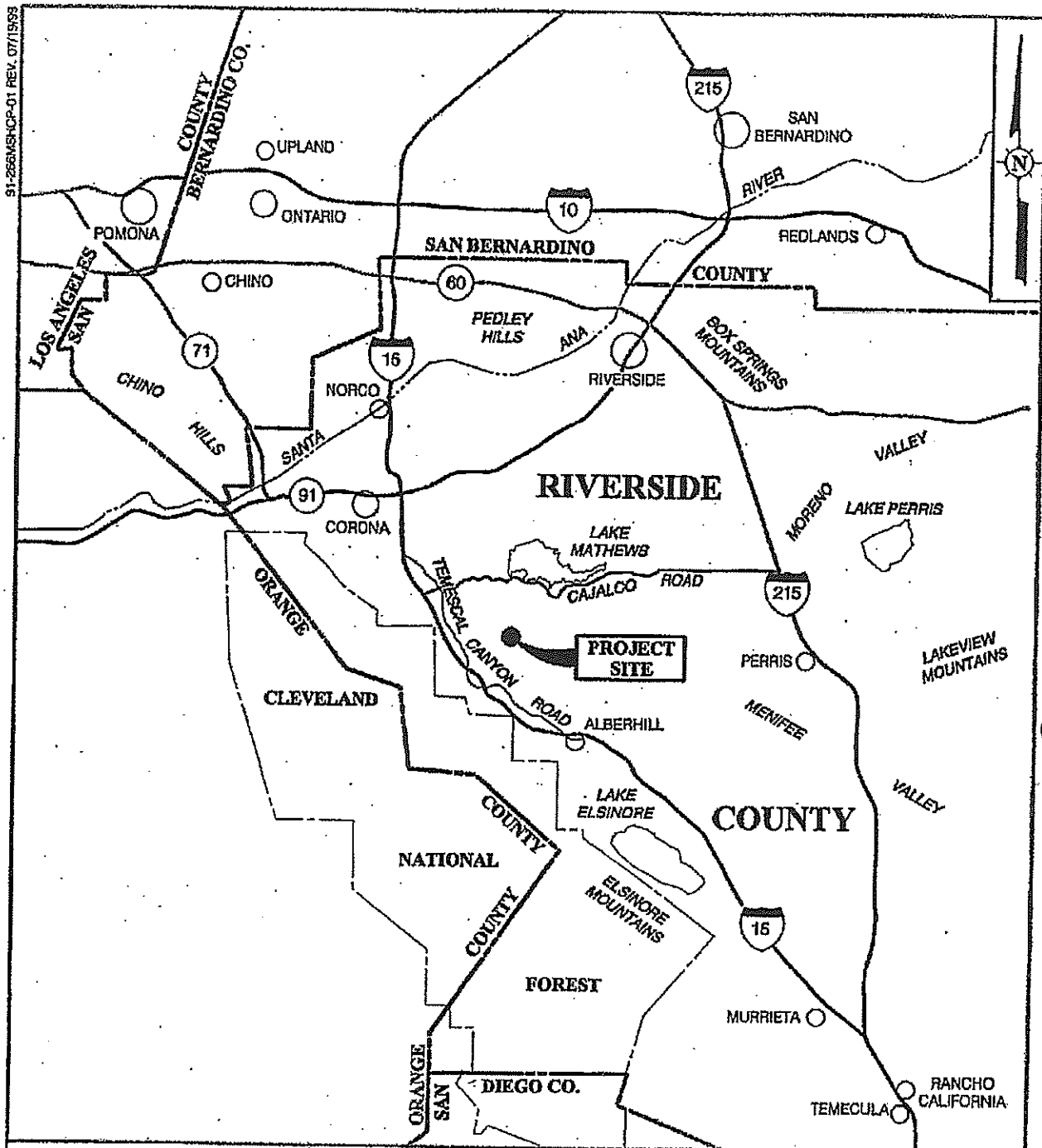
Brenna E. Moorhead

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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Attachments

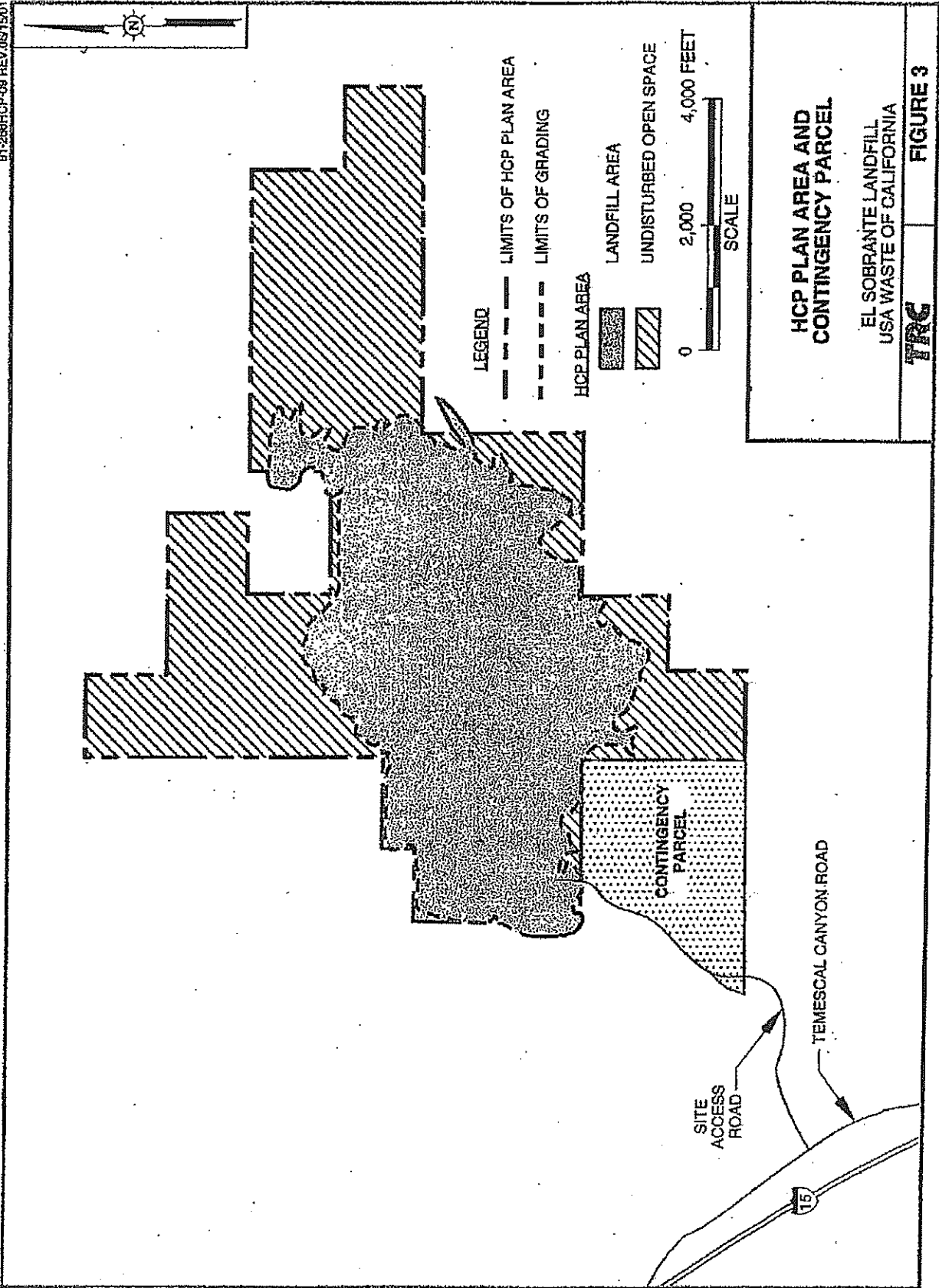
cc: Supervisor Bob Buster, Riverside County Board of Supervisors, 1st District
Damon De Frates, USA Waste of California, Inc.
Lily Quiora, Waste Management, Inc.
Robert J. Uram, Sheppard Mullin Richter & Hampton LLP



REGIONAL LOCATION MAP

EL SOBRANTE LANDFILL
WASTE MANAGEMENT, INC.

TRC **FIGURE 1.1**



AIR QUALITY

MITIGATION MEASURE

AQ-11

Prior to construction and construction/operation activities, the following premonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO_2 : (Board of Supervisors)

- Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions which could result in the greatest property boundary concentration.
- During periods when both disposal and construction activities are occurring; downwind property line monitoring of NO_2 shall be implemented for wind and stability conditions which could result in the highest boundary concentrations.

During construction and construction/operation activities, the following postmonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO_2 : (Board of Supervisors)

- If monitoring determines that the 1-hour NO_2 standard (i.e., $470 \mu\text{g}/\text{m}^3$) is being approached (i.e., within 95 percent of the standard or approximately $450 \mu\text{g}/\text{m}^3$), construction or cell closure activities shall be curtailed until the appropriate tiered mitigation measures can be implemented, or until adverse meteorological conditions no longer exist.
- The waste placement and/or clay preparation areas shall be moved to a preplanned alternative working location to separate emissions from clay placement construction emissions.
- Construction procedures shall be configured such that operations requiring heavy equipment do not occur simultaneously (e.g., clay placement and protective soil placement by scrapers will not be done during periods with adverse meteorological conditions).
- Construction scheduling will be slowed to reduce daily equipment usage.
- Hours of construction with designated pieces of equipment (e.g., scrapers) shall be constrained to occur outside of peak adverse meteorological conditions.

RESPONSIBLE AGENCIES:

LEA, SCAQMD

IMPLEMENTATION AND TIMING:

- A. LEA and SCAQMD to review inspection reports prepared by USA Waste upon agency discretion.
- B. LEA and SCAQMD to conduct onsite inspection during construction and through landfill operation upon agency discretion.

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United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Palm Springs-South Coast Field Office
690 West Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258-1260
(760) 251-4800 Fax (760) 251-4899

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In Reply Refer To:
2000 (P)
CA-660.40

MAY 12 2008

Cathy Bechtel
Project Development Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92501

RECEIVED
MAY 14 2008
RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Subject: Mid County Parkway Project

Dear Ms. Bechtel:

Thank you for your letter of April 21, 2008, addressing the Bureau of Land Management's (BLM) concerns with regard to the potential for the proposed Mid County Parkway project to encroach upon 14 parcels of land managed by the Bureau of Land Management (BLM). As we have noted previously, these parcels are currently managed for the protection of sensitive species under the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP) and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Oversight for these HCPs is carried out by the Riverside County Habitat Conservation Agency (RCHCA) and the Western Riverside County Regional Conservation Authority (RCA).

We appreciate the opportunity for BLM staff to meet with you, RCHCA staff, and your project consultants to help better understand the Mid County Parkway project and to share our concerns and interests with you directly. As requested in your letter, we are providing our written concurrence with the following points agreed to in the meeting of April 2, 2008:


1. The BLM South Coast Resource Management Plan adopted in 1994 would not prohibit consideration of the Mid County Parkway project encroaching within BLM lands.
2. Any potential encroachment of the Mid County Parkway project into BLM lands shall be clearly acknowledged and disclosed in the Mid County Parkway EIR/EIS.
3. Mitigation for encroachment of the Mid County Parkway project into the BLM managed parcels within the Stephens' Kangaroo Rat HCP reserve lands shall be provided by RCTC in accordance with the provisions of the Stephens' Kangaroo Rat HCP (1:1 replacement of any occupied

Stephens' Kangaroo Rat habitat) and subject to approval of the RCHCA, U.S. Fish and Wildlife Service, and California Department of Fish and Game. BLM will defer to RCHCA on the acceptability of the mitigation lands.

4. RCTC will submit an application to BLM for this right-of-way encroachment (Standard Form 299 – Application for Transportation and Utility Systems and Facilities on Federal Lands) along with the necessary filing fees in accordance with BLM's cost recovery regulations.

We look forward to continuing to work with RCTC, RCHCA, and RCA as you move forward on the Mid County Parkway project. Please continue to coordinate with Michael Bennett who can be reached at (760) 251-4839.

Sincerely,

A handwritten signature in black ink, appearing to read "J. R. Kalish", with a stylized flourish at the end.

John R. Kalish
Field Manager



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814

May 14, 2008

IN REPLY REFER TO

HDA-CA

File #: 08-RIV-15/215

KP 55-63/46.79-53.62

EA: 08-0F3200

Document #: P58370

Mr. Mike Perovich, District Director
California Department of Transportation
District 8
464 W. Fourth Street, 6th Floor
San Bernardino, CA 92401-1400

Attention: Mr. Nassim Elias, Project Manager

Dear Mr. Perovich:

**SUBJECT: NEW/MODIFIED ACCESS REPORT FOR THE INTERSTATE 15 AND 215/
MID COUNTY PARKWAY INTERCHANGE**

The Federal Highway Administration (FHWA) has concluded review of the two New/Modified Access Reports, and related Exception to Mandatory Design Standards Fact Sheets, for the proposed additional interchanges and modification to existing interchanges. The proposed project would provide direct freeway to freeway connections to both Interstate routes 15 and 215 (I-15 and I-215) respectively, from the proposed limited access Mid County Parkway (MCP) corridor, in the Cities of Perris and Corona, Riverside County.

1. The New Connection Report for the I-15 presented two alternatives for the new system interchange (IC) and modifications to the existing service interchanges (ICs) at Weirick Road, Cajalco Road, El Cerrito Road, and Ontario Avenue. Based on the engineering and operations review, the addition and modifications presented in the Design Variation Alternative are acceptable.
2. The New Connection Report for the I-215 presented three alternatives for the new system IC, and based on the engineering and operations review, the addition and modifications presented in the Placentia Alternative are acceptable. This alternative includes modification of the existing service IC at Placentia Avenue.

These findings of "acceptability" only constitute preliminary or conditional approval of the new/modified access request. If the Design Variation Alternative and the Placentia Alternative are ultimately selected in the environmental process, and there are no major changes to the

**MOVING THE
AMERICAN
ECONOMY**

design, final "approval" may be given upon completion of the planning and environmental processes.

Should you have any questions, please contact Mr. Bren I. George-Nwabugwu, Transportation Engineer at (916) 498-5890 (bren.george@fhwa.dot.gov)

Sincerely,

/s/ Bren I. George

For
Gene K. Fong
Division Administrator



Riverside County Transportation Commission

4080 Lemon Street, 3rd Floor • Riverside, CA
Mailing Address: P. O. Box 12008 • Riverside, CA 92502-2208
(951) 787-7141 • Fax (951) 787-7920 • www.rctc.org

July 2, 2008

Mr. Damon DeFrates
Senior District Manager
Waste Management – El Sobrante Landfill
P. O. Box 77908
Corona, CA 92877

Subject: Offer of Cooperation – El Sobrante HCP

Dear Mr. DeFrates:

Thank you for taking the time to meet with us to further discuss your letter of May 6, 2008. This letter serves to summarize our discussion and acknowledge the understanding that we reached in the June 3 meeting.

RCTC appreciates USA Waste's Offer of Cooperation outlined in the May 6 letter and understands the importance of the El Sobrante HCP to the existing and future operations of the El Sobrante Landfill. We further understand that the items identified in the letter under "Costs and Compensation" are preliminarily offered as negotiation points to be considered at such time as the processing of an amendment to the HCP would be initiated. We discussed and agreed that the timeframe for the amendment would be based on timing for construction of the Mid County Parkway facility in the location of the El Sobrante Landfill area.

We also discussed that many of the concerns that you raise relate to the potential indirect effects on the El Sobrante HCP from the Mid County Parkway Project itself, regardless of the direct effects on the HCP land area. We presented to you information that will be included in the EIR/EIS that addresses these indirect effects, including design features and measures to avoid and minimize the effects. However, we recognize that these are issues of concern to you that are also addressed in the Cost and Compensation section of your May 6 letter and will require future discussion with the appropriate parties.

You requested our participation and assistance in talking with the county or other appropriate agencies to further discuss your requests; we would be happy to participate in these meetings. We again thank you for your Offer of Cooperation and for meeting with us to further discuss and understand all of the relevant issues and considerations. If you have any questions or would like to discuss matters further at this time, please feel free to contact me at (951) 787-7934.

Sincerely,

A handwritten signature in black ink, reading "Cathy Bechtel". The signature is fluid and cursive, with the first name "Cathy" and last name "Bechtel" clearly distinguishable.

Cathy Bechtel
Project Development Director

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JACINTO, CALIFORNIA, EXPRESSING A PREFERENCE FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION TO CONSTRUCT THE MID-COUNTY PARKWAY STARTING AT THE EASTERN END AND WORKING WESTERLY

WHEREAS, the City of San Jacinto has been working with the Riverside County Transportation Commission on the proposed Mid-County Parkway for a number of years; and

WHEREAS, the City of San Jacinto has previously identified its preferred alternative for the MCP within our corporate limits; and

WHEREAS, the Riverside County Transportation Commission has since chosen the same alignment (identified in the EIR as the base alternative) as its own preference; and

WHEREAS, the Mid-County Parkway will likely be built in phases due to the complexity of the project, the size of the project and due to the availability of funding; and

NOW, THEREFORE, BE IT RESOLVED determined and ordered by the City Council of the City of San Jacinto:

SECTION 1. The City Council finds and declares as follows:

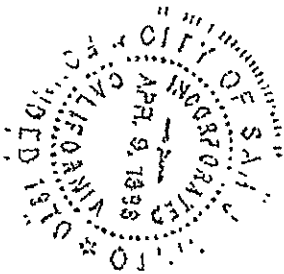
1. That the Mid-County Parkway initial phase of construction should begin at the east end of the project; and
2. The eastern portion of the project (through San Jacinto and Lakeview) is largely on Ramona Expressway corridor and the construction impacts are not significant; and
3. The land that must be acquired for highway right of way within San Jacinto is entirely vacant at this time and the local property owners are eager to work with RCTC; and
4. Finally, beginning construction in the east will help with the coordination of the SR 79 realignment project and should result minimal throw-away and/or overlapping work.

SECTION 2. The City Clerk is directed to certify the passage and adoption of this Resolution; enter same in the book of original Resolutions; and make a Minute of its adoption in the City's records and in the Minutes of the meeting when it was adopted.

SECTION 3. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

APPROVED and ADOPTED this 19th day of February 2009, by the following vote:

Ayes:	Ayres, Di Memmo, Mansperger, Potts, Stubblefield
Nays:	None
Absent:	None
Abstain:	None



City of San Jacinto

By Dale Stubblefield, Mayor

ATTEST:

rothy L. Ch uinard, City Clerk

RESOLUTION NUMBER 4428

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PERRIS, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, SELECTING ALTERNATIVE 9 OF THE MID
COUNTY PARKWAY AS THE LOCALLY PREFERRED
ALTERNATIVE***

WHEREAS, The City Council of the City of Perris ("City") recognizes the need to accommodate the growing regional east-west movement of traffic between and through San Jacinto and Perris that is due in part to the substantial population and employment growth in western Riverside County; and

WHEREAS, the City acknowledges that the Riverside County Transportation Commission ("RCTC") has designated a study area for the proposed Mid-County Parkway, which encompasses an area north and south of the existing roadway known as Ramona Expressway between San Jacinto and Perris; and

WHEREAS, RCTC has proposed several alternate alignments of the Mid-County Parkway within the study area and the Perris City Limits; and

WHEREAS, RCTC has requested that affected local agencies select a preferred alternative for the Mid County Parkway, to indicate support for the project and to encourage project awareness; and

WHEREAS, on November 9, 2004, the City of Perris adopted Resolution Number 3333, formally designating the "North Perris Alignment" as the preferred alternative for the future Mid County Parkway within the City of Perris; and

WHEREAS, on September 26, 2006, the City of Perris rescinded Resolution Number 3333 via Resolution 3767, and since that date there has been no locally preferred alternative in place; and

WHEREAS, the City Council has studied the alternatives currently under consideration by RCTC, which have been given both numerical and geographical titles as follows: Alternative 4 (North Perris/Drain), Alternative 5 (South Perris/Rider), and Alternative 9 (Placentia); and

WHEREAS, Alternative 9 (Placentia) has many benefits to the City of Perris, including construction of an interchange at Placentia & I-215, early implementation of I-215 widening between Nuevo Road and Van Buren Blvd., and minimization of impacts to Ramona Expressway during and after construction;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES
HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are true and correct and are incorporated herein by reference..

2. The City Council hereby designates the Alternative 9 (Placentia) for the Mid County Parkway as the locally preferred alignment within the City limits.

3. The City Council finds that Alternative 9, while the preferred alternative, does have some points of concern for the City. To address these concerns, the City has requested that RCTC do the following:

RCTC shall include the environmental documents and design for freeway connection at I-215 and Placentia Interchange for interim and ultimate conditions.

R-1-3

Construction of the Mid County Parkway shall commence in the City of Perris and shall include construction of the interchange at Placentia and widening of I-215 between Van Buren and Nuevo then continue easterly and no other segments east of City of Perris shall be completed prior to completion of this work.

R-1-4

RCTC shall take an active role to re-establish the CETAP corridor between I-15 and I-215, specifically to investigate the feasibility of an Ethanac Corridor.

R-1-5

Construction of over-crossings at Indian Avenue and Perris Blvd. per City's General Plan. Such crossings shall include for pedestrians and bicyclists.

R-1-6

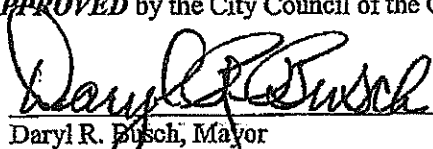
Frontage Road shall be maintained or reconstructed to provide access from Ramona Expressway to Nuevo Road.

R-1-7

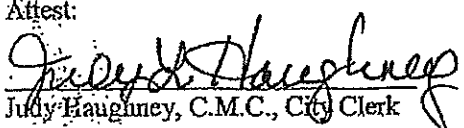
Drainage improvements shall be constructed according to adopted Master Drainage Plans. Any adjustments or modifications to Master Plans required to accommodate the MCP shall be funded by MCP/RCTC.

R-1-8

ADOPTED, SIGNED and APPROVED by the City Council of the City of Perris this 28th day of June, 2011.


Daryl R. Busch, Mayor

Attest:


Judy Haughey, C.M.C., City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PERRIS)

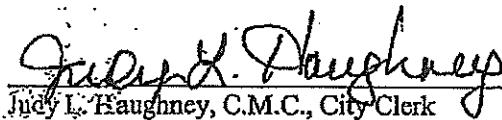
I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO
HEREBY CERTIFY that the foregoing Resolution Number 4428 was duly and regularly
adopted by the City Council of the City of Perris at a regular meeting held the 28th day of
June, 2011, by the following called vote:

AYES: EVANS, ROGERS, YARBROUGH, LANDERS, BUSCH

NOES:

ABSENT:

ABSTAIN:


Judy L. Haughney, C.M.C., City Clerk

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MEMORANDUM

DATE: January 9, 2014

TO: Southern California Association of Governments, Transportation Conformity Working Group

FROM: Grace Alvarez, Planning and Programming Manager, RCTC

SUBJECT: Selection of a Preferred Alternative for the Mid County Parkway Project (RIV031218)

The purpose of this memorandum is to inform the Transportation Conformity Working Group (TCWG) that a preferred alternative has been selected for the Mid County Parkway Project (RIV031218).

A PM_{2.5}¹ and PM₁₀² Hot-Spot Analysis for the Mid County Parkway project underwent Interagency Consultation (IAC) on June 28, 2011. This hot-spot analysis evaluated the effect of three build alternatives (4 Modified, 5 Modified, and 9 Modified). The TCWG approved the analysis for all three build alternatives and deemed the PM Hot-spot Analysis acceptable for National Environmental Policy Act (NEPA) circulation.

On November 20, 2013 the Project Development Team for the Mid County Parkway Project identified Alternative 9 Modified with the San Jacinto River Bridge Design Variation as the preferred alternative (see attached Figure 1). Under the San Jacinto River Bridge Design Variation (SJRBDV), the MCP project would construct two bridges in the Lakeview/Nuevo area, a 531 ft bridge spanning Martin Street and a 1,941 ft bridge spanning the San Jacinto River, for a total of 2,472 ft of bridge. The base case proposes one 4,321 ft bridge to span the floodplain and Martin Street. The SJRBDV would also include a total of 1,849 ft of fill on either end of the bridges within the same limits as the base case bridge. Similar to the base case, the bridges under this design variation would be located to the south of the existing Ramona Expressway Bridge, which is 255 ft in length and would remain in place. This design variation would have no effect on the long-term regional traffic volumes. Therefore, the preferred alternative is consistent with the analysis of Alternative 9 Modified included in the May 2011 PM_{2.5} and PM₁₀ Hot-Spot Analysis.

As Alternative 9 Modified is one of the three alternatives approved for NEPA circulation by the TCWG, no additional PM analyses are required.

cc: Alex Menor, RCTC
Shawn Oliver, Federal Highway Administration (California Division)
Marie Petry, Caltrans District 8
Merideth Cann, Jacobs Civil, Inc.
Keith Lay, LSA

¹ Particulate matter less than 2.5 microns in diameter.

² Particulate matter less than 10 microns in diameter.

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**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**January 28, 2014
Minutes**

THE FOLLOWING MINUTES ARE A SUMMARY OF THE MEETING OF THE TRANSPORTATION CONFORMITY WORKING GROUP. A DIGITAL RECORDING OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Meeting of the Transportation Conformity Working Group was held at the SCAG office in Los Angeles.

In Attendance:

Abrishami, Lori	Metro
Castro, Fernando	Caltrans, District 7
Morris, Michael	FHWA
Perez, Brenda	FHWA
Sarraf, Majid	TTG Engineering
Sherwood, Arnie	TCA

SCAG

Asuncion, John
Lee, Maria
Lin, Margaret
Luo, Rongsheng

Via Teleconference:

Alvarez, Grace	RCTC
Anderson, Cari	ARB
Mortenson, Marilee	Caltrans Headquarters
Tavitas, Rodney	Caltrans Headquarters
Brady, Mike	Caltrans Headquarters
Cacatian, Ben	VCAPCD
Fagan, Paul	Caltrans, District 8
Garcia, Dan	SCAQMD
Gallo, Ilene	Caltrans, District 11
Lay, Keith	LSA Associates
O'Connor, Karina	EPA, Region 9
Sonnenberg, Stew	FHWA
Sheehy, Erin	OCTA
Tax, Wienke	EPA, Region 9
Yoon, Andrew	Caltrans, District 7

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**January 28, 2014
Minutes**

1.0 CALL TO ORDER

Fernando Castro, Caltrans District 7, called the meeting to order at 10:05 am.

2.0 PUBLIC COMMENT PERIOD

There were no public comments.

3.0 CONSENT CALENDAR

- 3.1 TCWG December 3, 2013 Meeting Minutes
The minutes were approved.

4.0 INFORMATION ITEMS

4.1 Review of Qualitative PM Hot Spot Analysis

- 1) Memo - Selection of Preferred Alternative (RIV031218)
It was determined that no additional PM analysis is required.

4.2 FTIP Update

- John Asuncion, SCAG, reported the following:
- 2013 FTIP Amendments #13-15 and #13-16 had been approved.
 - SCAG staff is reviewing and analyzing 2015 FTIP county submittals.

4.3 RTP Update

Margaret Lin, SCAG, reported that SCAG is working on 2012-2035 RTP/SCS Amendment #2 concurrently with the 2015 FTIP.

4.4 EPA updates

- Karina O' Connor, EPA Region 9, reported the following:
- November 2013 version of Quantitative PM Hot Spot Analysis Guidance should replace previous version of the guidance and be used for PM hot spot analyses.
 - As part of EPA's effort to address its backlog of SIPs that require EPA action, suggest TCWG to review Conformity SIPs for the South Coast Air Basin and the Ventura County Portion of the South Central Coast Air Basin.

Cari Anderson, ARB, stated that review of conformity SIPs is planned to be an agenda item for the next Statewide Conformity Working Group meeting.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**January 28, 2014
Minutes**

In response to a question, Ms. O'Connor stated that EPA staff is addressing comments on the proposed State Implementation Plan (SIP) implementation rule for the 2008 8-hour ozone standard and the final SIP implementation rule is expected to be finalized in Fall 2014.

Wienke Tax, EPA Region 9, reported the following:

- EPA is working with ARB and Imperial County Air Pollution Control District to develop a Clean Air Act Section 179(B) SIP for the Imperial County PM2.5 nonattainment area under 2006 PM2.5 standard.
- Published in Federal Register on November 21, 2013, the proposed rule *Identification of Nonattainment Classification and Deadlines for Submission of State Implementation Plan (SIP) Provisions for the 1997 Fine Particle (PM2.5) National Ambient Air Quality Standard (NAAQS) and 2006 PM2.5 NAAQS* is expected to be finalized in Spring 2014.

Under the proposed rule, December 31, 2014 is proposed to be the submittal deadline for the remaining SIP elements under Subpart 4 (Additional Provisions for Particulate Matter Nonattainment Areas) that have not been addressed by Subpart 1 (Nonattainment Areas in General) SIPs.

4.5 ARB UPDATE

Rongsheng Luo, SCAG, announced that Jason Crow, ARB, had accepted a new position at ARB and Cari Anderson, ARB, will be his replacement. Mr. Luo acknowledged Mr. Crow for his service and contribution to TCWG and welcomed Ms. Anderson on board.

Cari Anderson, ARB, reported the following:

- Minor updates on Western Mojave Desert 1997 8-hour Ozone SIP and Coachella Valley 2007 Air Quality Management Plan are scheduled to be on consent calendar of March 2014 ARB Board meeting; ARB will coordinate with SCAG to update respective conformity budgets using EMFAC2011 and latest travel activity data from SCAG; The conformity budgets will be posted for a 30-day public review.
- As reported by EPA, ARB is also working on Imperial County SIP to address 2006 PM2.5 standard including new conformity budgets based on EMFAC2011; The PM2.5 SIP is scheduled to go to ARB Board in June 2014.
- Todd Sax has been promoted to ARB's Mobile Source Control Division and Vernon Hughes is his replacement as Branch Chief responsible for EMFAC2013 development. The Branch is undergoing reorganization and

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**January 28, 2014
Minutes**

reviewing status of EMFAC2013 development; EMFAC2013 release schedule will be provided in the near future.

- ARB is taking over the Statewide Conformity Working Group and a notice will be sent out shortly to schedule the next Statewide Conformity Working Group meeting for March 2014.

4.6 Air Districts Update

Dan Garcia, SCAQMD, stated that SCAQMD had no new update.

Ben Cacatian, VCAPCD, stated that VCAPCD had no new update.

5.0 INFORMATION SHARING

Mike Brady, Caltrans Headquarter, confirmed that ARB is chairing the Statewide Conformity Working Group this year and agenda items should be sent to Cari Anderson at ARB. Mr. Brady also announced that he will be retiring in the next month or two.

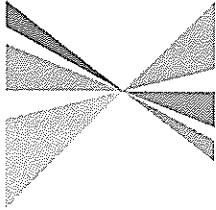
Rongsheng Luo, SCAG, announced that Maria Lee has joined SCAG as a new intern and she will assist in staffing TCWG.

6.0 ADJOURNMENT

The meeting was adjourned at 10:40 am.

The next Transportation Conformity Working Group meeting will be held on Tuesday February 25, 2014 at the SCAG office in downtown Los Angeles.

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Greg Pettis, Cathedral City

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Carl Morehouse, San Buenaventura

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Greg Pettis, Cathedral City

Policy Committee Chairs

Community, Economic and

Human Development

Margaret Finlay, Duarte

Energy & Environment

James Johnson, Long Beach

Transportation

Keith Millhouse, Ventura County

Transportation Commission

MEETING OF THE

**TRANSPORTATION CONFORMITY
WORKING GROUP**

Tuesday, January 28, 2014

10:00 a.m. – 12:00 p.m.

SCAG Main Office

Policy Committee A Conference Room

818 West 7th, 12th Floor

Los Angeles, CA 90017

213.236.1800

Teleconference

Call-in Telephone: (866) 434-5269

Passcode: 357777

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact:

Rongsheng Luo at 213.236.1994 or luo@scag.ca.gov

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at (213) 236-1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact (213) 236-1868.

Transportation Conformity Working Group

AGENDA

PAGE # TIME

- 1.0 CALL TO ORDER AND SELF-INTRODUCTION** Fernando Castro, Caltrans District 7
- 2.0 PUBLIC COMMENT PERIOD**
Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the TCWG, must fill out a speaker's card prior to speaking and submit it to the Staff Assistant. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The Chair may limit the total time for comments to twenty (20) minutes.
- 3.0 CONSENT CALENDAR**
- 3.1 TCWG Minutes of December 3, 2013 3.1-1
Attachment 3.1
- 4.0 INFORMATION ITEMS**
- 4.1 Review of Qualitative TCWG Discussion 4.1-1 15 minutes
PM Hot Spot Analysis
Attachments 4.1-1 (RIV031218update)
- 4.2 FTIP Update John Asuncion, SCAG 5 minutes
- 4.3 RTP Update Margaret Lin, SCAG 5 minutes
- 4.4 EPA Update Karina O'Connor, EPA 10 minutes
- Standing Update
- Sanction Clocks Update
- 4.5 ARB Update Cari Anderson, ARB 10 minutes
- Standing Update
- SIP Update
- 4.6 Air Districts Update District Representatives 20 minutes
- Standing Update
- AQMP/SIP Update
- 5.0 INFORMATION SHARING** 10 minutes
- 6.0 ADJOURNMENT**
The next meeting of the Transportation Conformity Working Group will be held on Tuesday, February 25, 2014 at the SCAG office in downtown Los Angeles.





THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

RECEIVED

NOV 03 2014

Your Project No. W9X93901
MWD Colorado River Aqueduct
Casa Loma Siphon First Barrel
Sta. 10890+00 to 11070+00
R/W Parcels 138-26-1, -27-1, -27-3,
-28-1, -28-5, -29-1, -29-3, -29-5,
-29-7 & -29-9 (Fees)
Substr. Job No. 2001-08-001

October 28, 2014

Ms. Merideth Cann, P.E.
Jacobs
Suite 120
3257 East Guasti Road
Ontario, CA 91761

Dear Ms. Cann:

Mid County Parkway – Conflict Evaluation Report – Third Revision

Thank you for your transmittal letter dated October 7, 2014, submitting a copy of a preliminary geotechnical evaluation report (third revision) prepared by Kleinfelder, dated September 30, 2014, for the proposed Midway County Parkway project along our Colorado River Aqueduct (CRA) between State Route 79 (SR 79) and Warren Road in the city of San Jacinto. Included with your submittal were various maps (Plate 1-1, 2-1, 3-1 and 3-2) showing the project location and Kleinfelder's responses to our comments and clarifications regarding the geotech report dated April 25, 2012.

Ms. Merideth Cann

Page 2

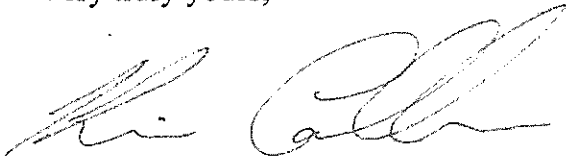
October 28, 2014

We have reviewed the third revision of the preliminary geotechnical evaluation report and the responses prepared by Kleinfelder, and find it is acceptable to Metropolitan. Please submit any additional geotech evaluation as part of the final design for our review, as indicated on Kleinfelder's responses.

We also request that detail grading plans and other pertinent information be submitted for our review and written approval, when available. The construction and final features of SR 79 must provide for the continuing operation and maintenance of Metropolitan's facilities, as well as adequate vertical clearance above access. Final project designs must include provisions to ensure this requirement.

For any further correspondence with Metropolitan relating to this project, please make reference to the Substructures Job Number shown in the upper right-hand corner of the first page of this letter. Should you require any additional information, please contact Ken Chung, telephone (213) 217-7670.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Callanan', with a stylized, flowing script.

Kieran M. Callanan, P.E.
Manager, Substructures Team

KC/km
DOC 2001-08-001d

CALTRANS DISTRICT 8 COMMENTS AND RESPONSES

Project: Mid County Parkway Project Reviewer: Tony Louka and Edison Jaffery, Caltrans

Report/Document: Final Environmental Impact Report/Environmental Impact Statement and Section 4(f) Evaluation – Section 3.14, Air Quality

Date: January 27, 2015

No.	Page No.	Comments	Response/Actions
Air Quality (Section 3.14)			
1		Environmental Engineering completed the review of the Final Draft EIR/EIS (November 2014) for the Mid-County Parkway, in Riverside County. The document was submitted as electronic files to Caltrans District 8 by LSA consultant. The Air unit reviewed the Air Quality section of the Environmental Document (ED) and the comments are given below.	Comment noted. No response needed.
		Our review comments show appreciable inconsistency in the information between what is present in the approved Air Quality Report (AQR) 2012 and that included in the Air Quality section of the ED. Some information in the AQR is outdated. For example, MSAT modeling does include naphthalene and polycyclic organic matter. The MSAT modeling performed was on older methodology using EMFAC 2007, presently Caltrans use emission model CT-EMFAC Version 5.0 which is based on Caltrans Air Resources Board (ARB) emissions Model EMFAC 2011.	The <i>Air Quality Analysis</i> (AQA) was approved by Caltrans in March 2012. Consistent with the process followed by Caltrans, District 8 and RCTC on the SR-91 CIP EIR/EIS (approved in August 2012), approved technical studies will not be revised for the Final MCP EIR/EIS. EPA approved the EMFAC2011 emissions model for SIP and conformity purposes effective March 6, 2013. EMFAC2011 must be used for all new regional emissions analyses and CO, PM ₁₀ , and PM _{2.5} hotspot analyses that started on or after September 6, 2013. The emission calculations for the MCP project were conducted in 2011 and the final AQA was approved in March 2012. Therefore, the use of EMFAC2007 was appropriate for this project and no changes were made to Section 3.14 in response to this comment.
		Furthermore, recent changes in air quality regulations and air quality standards have also occurred and not captured in the approved AQR. The monitored ambient air quality data in AQR are also outdated; the most recent monitored ambient air quality data for years 2011 to 2013 are presently available.	As discussed above, no changes have been made to the AQA since it was approved by Caltrans in March 2012. The Final EIR/EIS sections were updated in January 2014 to reflect the latest air quality regulations and standards. Updating the ambient air quality data in Tables 3.14.1 to 3.14.C would not change any of the conclusions in the EIR/EIS or affect the identification of the preferred alternative. Therefore, no changes were made to Section

CALTRANS DISTRICT 8 COMMENTS AND RESPONSES

			3.14 in response to this comment.
		Moreover, RTP and FTIP information in AQR provided is from 2008 RTP, and 2011 FTIP, whereas the ED references 2012 RTP and 2013 FTIP both of which are presently outdated. The most recent FTIP document is 2015 FTIP approved by FHWA in December 14, 2014.	The references to the RTP and FTIP were updated several locations in Section 3.14 and Chapter 1 in the Final EIR/EIS. Appendix K was updated to include the project listing in the most recent FTIP.
		The environmental document stated that most recent TCWG approval of MCP preferred Alternative 9 occurred on a different date that what is stated in the Air Quality Report, please correct.	The initial review date for the TCWG (June 28, 2011) is the same in the AQA and Section 3.14 in the Final EIR/EIS. After identification of Alternative 9 Modified with the SJRB DV as the preferred alternative, RCTC submitted a memorandum to the TCWG notifying them of this action. On January 28, 2014, the TCWG determined that no additional particulate matter analyses would be required for the preferred alternative for the project.
		Based on our review comments below and the above discussion, we prefer you completely revise the previously approved AQR and Environmental Document to reflect the recent data. Also, please make sure the 2 documents match,	As noted above, the AQA was approved by Caltrans in March 2012 and no changes will be made to the AQA for the Final EIR/EIS. Table 3.14.D on page 3.13-01 in Section 3.14 in the Final EIR/EIS was updated to reflect the latest air quality standards.
2	Table 3.14, A Ambient Air Quality at Perris Monitoring Station	Please provide values for number of days exceeded for State annual PM ₁₀ as provided in the Air Resources Board – historical data website, also provide # of Days exceeded both for State and Federal PM _{2.5} and PM ₁₀ pollutant 24 hour and annual standards in Table 3.14.C.	Annual standards are either exceeded or are not exceeded; they cannot be exceeded on a daily basis. Therefore, under exceeded they are listed as yes or no. The number of days that the 24-hour standards are exceeded is included in Table 3.14.A.
3	Page 3.14-9, Table 3.14.D	You have provided in the Environment Document the attainment designation status for SCAB NO ₂ pollutant in South Coast Air Basin (SCAB) for Riverside County as non-attainment for State Standard. However, in the Air Quality Report (Table B the information on NO ₂ shows designation as attainment which is correct, please modify.	As noted above, the AQA was approved by Caltrans in March 2012 and the attainment status for NO ₂ cited in that report was correct at the time of its approval by Caltrans. The non-attainment status shown for NO ₂ is correct in Section 3.14 in the Final EIR/EIS.
4	Page 3.14-9, Table 3.14.D	PM ₁₀ in Table B of AQR the SCAB area designation presented is serious non-attainment. The Basin area has been re-designated to Attainment/Maintenance. The information in the AQR is inconsistent with the status for PM ₁₀ given for Table 3.14.D. Please update AQR to match with information given in the ED.	As noted above, the AQA was approved by Caltrans in March 2012 and the attainment status for PM ₁₀ cited in that report was correct at the time of its approval by Caltrans. The non-attainment status for PM ₁₀ is correct in Section 3.14 in the Final EIR/EIS.
5	Page 3.14-9, Table 3.14.D	Federal SO ₂ standards values for 3, 24 hour and annual standard in the table are missing, please provide. Also for Lead Pollutant the Table is missing the value for Calendar Quarter, please update.	The requested pollutant standards were added to Table 3.14.D on page 3.13-9 in Section 3.13 in the Final EIR/EIS.
6	Page 3.14-14 Project-level	The project description in the Environmental Document – air quality section is different from that is provided in the approved air quality	As noted above, the AQA was approved by Caltrans in March 2012 and the RTP/FTIP descriptions cited in that

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	Conformity – Carbon Monoxide	report (March 2012) . The 2012 RTP Amendment #1 (December 15, 2014) has the latest information on the project description and scope. The ED references 2012 RTP and 2013 FTIP whereas Air Quality Report refers to 2008 RTP and 2011 FTIP. Please update the air quality report to reflect the latest scope which should match what is listed in FTIP 2015, if different, the scope in the 2015 FTIP needs to be amended to reflect the latest scope. The scope of the project in the Air Quality Report and the Environmental Document need to be identical.	report were correct at the time of its approval by Caltrans. The references to the RTP and FTIP were updated in Section 3.14 and Chapter 1 in the Final EIR/EIS and the project listing in Appendix K was updated to the most current FTIP. The scope of the MCP project in the Final EIR/EIS is consistent with the descriptions in the 2012 RTP Amendment #1 and in the 2015 FTIP.
7	Page 3.14-34 MSAT analysis	Table 3.14S (MSAT Emissions for MCP) shows estimates of MSAT emissions for the project. Comparing this Table with Table V, page 52 in the AQR, it has additional three rows present values for different scenarios for priority MSAT pollutants, while other information remains the same as given in the AQR Table V, Page 52. Both the Tables are missing values for naphthalene and polycyclic organic matter.	<p>As noted above, the AQA was approved by Caltrans in March 2012 and no changes have been made to the AQA since its approval by Caltrans. The three rows of data added to this table show the changes associated with each alternative in comparison to existing conditions were previously included in the approved 2013 Draft Recirculated EIR/Supplemental Draft EIS.</p> <p>As discussed above, because the project analysis was started prior to September 6, 2013, the MSAT analysis was conducted using EMFAC2007. CT-EMFAC 5.0, based on EMFAC2011, was updated to include naphthalene and polycyclic organic matter. Therefore, those pollutants were not included in this analysis.</p>
8	NA	We require you model emission based on CT-AMFAC V 5.0 and update the AQR report and information, as it is outdated.	As discussed above, because the project analysis was started prior to September 6, 2013, the analysis was conducted using EMFAC2007. Therefore, no modeling using CT-AMFACV 5.0 was performed.
9	Page 3.14-39 Project Level Conformity	Caltrans District 8 is not aware of the resubmittal of PM hot spot Summary Form to TCWG seeking revaluation of conformity for the preferred Alternative 9 with modification. You need to provide this information in the Air Quality Report regarding TCWG final approval letter. Please update AQR accordingly.	<p>As noted above, the AQA was approved by Caltrans in March 2012 and the information cited in that report regarding interagency consultation through the TCWG was current at the time of its approval by Caltrans.</p> <p>After identification of Alternative 9 Modified with the SJRB DV as the preferred alternative, RCTC submitted a memorandum dated January 9, 2014 to the TCWG notifying them of this action. On January 28, 2014, the TCWG determined that no additional particulate matter analyses would be required for the preferred alternative for the project. The minutes of the January 28, 2014</p>

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			TCWG meeting posted on SCAG's website show that Dr. Paul Fagan of Caltrans District 8 participated in that meeting via teleconferencing. In addition, Ms. Marie Petry of Caltrans District 8 was copied on RCTC's January 9, 2014 memo. Therefore, Caltrans District 8 was aware of the resubmittal of the PM conformity request to the TCWG.
10	Page 3.14-41, Table 3.14.W – Construction Emission (lbs/day) at the 5 th line in the 2 nd paragraph	You stated that construction related emissions are presented in Table 3.14.T. This Table 3.14.T is for Regional Vehicle Emissions, not for construction emissions. Table 3.14.W is the Tables that presents construction emissions, please correct.	The cited table reference on page 3.14-41 in Section 3.14 in the Final EIR/EIS was corrected as requested.
11	Page 3.14-42, Section 3.14.3.2 Temporary Impacts at the 2 nd paragraph	In the 2 nd paragraph replace the phrase “Section 39-3.06 [for asphalt concrete plant]” with the following “Section 14.9-02 [Air pollution control]”, also on page 3.14-45. Please ensure the AQR is updated accordingly.	As noted above, the AQA was approved by Caltrans in March 2012 and the reference to Section 39-3.06 cited in that report was current at the time of its approval by Caltrans. The requested changes replacing citations to Section 39-3.06 in Measure AQ-4 on page 3.14-45 with citations to Section 14.9-02 (Air pollution control) were made to Section 3.14 in the Final EIR/EIS as requested.
12	Page 3.14-43, Section 3.14.4, Avoidance, and minimization Measures	The control measure to minimize construction impacts on air quality section of the ED has additional measures included that are not present in the approved AQR. The air quality report mitigation/control measures should be consistent with what is included in the environmental document of the project. As an example bullet sixth of AQ-2 suggest using Tier 3 engine, however AQR Page 74 bullet sixth ask for Tier 2 engines. Furthermore the air quality control measures AQ-3 to AQ-6 that you have included in the environmental document are significantly different from the AQR.	As noted above, the AQA was approved by Caltrans in March 2012 and the minimization measures cited in that report were current at the time of its approval by Caltrans. New measures were added to Section 3.14.4, starting on page 3.14-43, in response to public and agency comments on the 2013 Recirculated Draft EIR/Supplemental Draft EIS.
13	NA	The Air Resources Board has monitored ambient air quality concentration for recent years from 2011 to 2013. Please include monitored air data for the most recent five years to replace the concentrations you have for the years 2006 to 2010.	The monitoring data in Tables 3.14.A, 3.14.B, and 3.14.C are consistent with the corresponding tables in the AQA. Because these data are provided for information purposes only (and they do not affect the identification of the preferred alternative), the monitoring data from 2011 through 2013 were not added to these tables in the Final EIR/EIS.